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Bhadra 16, 1888 (Saka)

LOK SABHA DEBATES

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LOK SABHA SECRETARIAT
NEW DELHI

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LOK SABHA

Wednesday, September 7, 1966/Bhadra 16, 1888 (Saka)

The Lok Sabha met at Eleven of the Clock

[MR. DEPUTY-SPEAKER IN THE CHAIR]

ORAL ANSWERS TO QUESTIONS

Separate State for Hill Areas of Assam

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***838. Shri Yashpal Singh:**
Shri P. C. Borooah:

Will the Minister of **Home Affairs** be pleased to state:

(a) whether he and the Prime Minister met the delegation of the Assam Hill Region on the demand for a separate State; and

(b) if so, the result thereof?

The Minister of State in the Ministry of Home Affairs and Minister of Defence Supplies in the Ministry of Defence (Shri Hathi): (a) and (b). The Cabinet Committee on the report of the Commission on the Hill Areas of Assam, of which the Home Minister is also a member, has had discussions with the representatives of certain political organisations in the hill areas of Assam, with a view to ascertaining their view points, and the measure of agreement between them on the recommendations made by the Commission. Some of the delegations also met the Prime Minister. The views and suggestions put forward by them as to the future administrative set-up of the hill areas of Assam are under consideration.

श्री यशपाल सिंह : आपने यह नहीं बतलाया कि उन लोगों ने क्या आर्गूमेंट्स पेश किये हैं, नई स्टेट बनाने के लिये उनकी दलीलें क्या हैं ?

गृह-कार्य मंत्री (श्री नन्दा) : यह कोई नया सवाल नहीं उठाया गया है, तीन-चार साल पहले से ये बातें हो रही थीं, पं० जवाहर लाल नेहरू को भी वे मिले थे और एक स्कीम उस वक्त बनी थी, जिस के आधार पर बातचीत हो रही थी, एक कमीशन भी बनाया गया था, उसकी रिकमेन्डेशन्ज के बाद फिर नई बातचीत शुरू हुई है ।

श्री यशपाल सिंह : यह भी पता नहीं लगा कि जो इस तरह से आन्दोलन खड़ा कर रहे हैं, और दूसरी तरफ इस तरह से स्कीम बना कर मिलना चाहते हैं, उस जमाने में जब हम आजादी की लड़ाई लड़ रहे थे, ये लोग प्रो-ब्रिटिश थे या प्रो-नेशनल थे ?

श्री नन्दा: यह ख्याल इस बारे में नहीं उठता है । मैं समझता हूं कि जो कुछ उन्होंने कहा है, वह अपने इलाके की बेहतरी के ख्याल से कहा है, हम इस में उन के साथ सहमत हों या न हों, यह दूसरा सवाल है ।

Shri P. C. Borooah: May I know whether it is a fact that, of the five hill districts of Assam, the Congress of two hill districts, namely Mikir Hills District and North Cachar District and the Congress of Garo Hills District, do not any longer want a separate Hill State; of the remaining, the Kashi and Jayantia Hills District Congress and the Mizo Union each

want a separate state for their respective districts; and the only people who want a separate Hill State are the non-Congress Kashia and Jaintia and Garos. May I also know whether our late lamented Prime Ministers, Nehruji and Shastriji, while they wanted maximum autonomy to be given to the hill people, were opposed to giving a Hill State after giving Statehood to Nagaland? In this context I would like to know whether the Government propose to stabilise the British policy of keeping the hill people separated from the people of the plains by granting them some sort of a Hill State or a sub-State or whether Government is going to take a bold policy of reversing the disintegrated forces and bringing the hill people within the fold of the mainstream of national life to enable the nation to meet the external aggression brewing in the eastern horizon of our country.

Shri Nanda: We had discussions with the various sections of representatives of hill tribes there and there were divergent views expressed more or less on the lines of what the hon. Member has said. There is no question of going back to the policy pursued in the British days. As a nation we have our own problems and we deal with them in our own way. Pandit Jawaharlal Nehru had indicated a certain line which we are pursuing.

Shri Hem Barua: In view of the fact that both the State Reorganisation Commission and the Pataskar Commission have categorically stated that a separate State for the hills people of Assam is not feasible and further the Congress organisations in Khasi and Jaintia Hills and the Congress organisation in the Mikir hills, North Cachar and the Garo Hills are opposed to a separate State for the hills people in the area, may I know the specific reasons on account of which Government are now going back on the recommendations of the States Reorganisation Commission as also the Pataskar Commission and have opened discussions for the further balkanisation of the frontier State of Assam?

Shri Nanda: There is no question of going back. The representatives of a section of the people of Assam are free to put forward any ideas which are entirely within and consistent with the Constitution; we may not accept them, but that is a different thing.

Shri Hem Barua: The hills people sub-commitee has come out with a proposal for a sub-State. That was reported in the papers.

Shrimati Jyotsna Chanda: May I know whether the recommendations of the Pataskar Commission have been accepted by the representatives of the hills people and what is the reaction of the Assam Government regarding these recommendations? May I also know whether Government are aware of the fact that the district of Cachar is surrounded on three sides by hill districts and on one side by Pakistan, and if so, whether Government will keep in view the future of the Cachar district while they consider the position of the hill districts?

Shri Nanda: When decisions are taken, all these things certainly will be taken into consideration. It is true that some of the representatives who had met us had put forward different kinds of views; there is no common scheme put forward by them, so far as Government are concerned.

Shri Indrajit Gupta: It appears from the reports appearing in the papers that the discussions which were held recently between the Government and the representatives of the people of the hill region were quite detailed and extensive, In view of that, may I know whether the proposals which are actually under active consideration at present are in the context of the old demand for an entirely separate hill State or in the context of some new proposal for giving them the maximum possible

regional autonomy within the Indian Union? What point has been reached in the discussions?

Shri Nanda: The starting point is, of course, the concept of full autonomy as was envisaged in the scheme which was then put forward by Pandit Jawaharlal Nehru, and that is the basis still.

Shri Indrajit Gupta: But that is not accepted by them.

Shri Nanda: That may be so.

Shri Swell: May I know whether it is a fact that in May, 1963, when the bye-elections in the hill areas took place, the Mizo National Front which now is leading the bloody uprising in the Mizo Hills fought those elections on the manifesto of secession from India and that the All-party Hill Leaders' Conference of Assam drew the pointed attention of the Government of India to this fact and that the State Government of Assam winked at this state of affairs in the hill areas, and even after the Mizo National Front won the elections on the basis of secession from India, they patronised or abetted the Mizo National Front leaders until the explosion occurred in March this year? And may I know whether this kind of policy pursued by the Assamese-dominated Government of Assam is with a view to demolish the political consciousness of the hill people demanding an equal and respectable place under the Indian Sun, and that it was pursued with the specific objective of advancing Assamese irridentism even at the cost of nationalism? In the context of all this, may I know whether the Government is aware of the extremely risky political situation in the hill areas today, that unless and until a political settlement is arrived at that is acceptable to the hill people, there may be something which we do not like in the interests of national integrity?

Shri Nanda: I am sure that the hon. Member and his friends will do nothing which this House will not like and there is constant effort being made to bring about a political settlement. The hon. Member knows we are engaged in that and we have given a good deal of thought to this and these discussions are continuing. So far as the other facts are concerned, it may be that the Assam Government pursued a line which has not been very advantageous.

शिक्षा आयोग की सिफारिशें

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*839. **श्री विभूति मिश्र :**
श्री क० ना० तिवारी :

क्या शिक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या शिक्षा आयोग की सिफारिशों के आधार पर सरकार ने कोई अन्तरिम निर्णय किया है ;

(ख) यदि हां, तो वह निर्णय क्या है ; और

(ग) यदि नहीं, तो इसके क्या कारण हैं ?

शिक्षा मंत्री (श्री मु० क० चागला) : (क) से (ग). सरकार अब रिपोर्ट की सक्रिय जांच कर रही है।

श्री विभूति मिश्र : मैं जानना चाहता हूं कि क्या सरकार ने तत्काल यह निर्णय नहीं किया है कि प्राइमरी शिक्षकों, हाई स्कूल के शिक्षकों, कालिजों और यूनिवरसिटियों के शिक्षकों को तनख्वाह एक समता की बेसिस पर लाकर हिन्दुस्तान में शिक्षा को अधिक प्रश्रय दिया जाये ? ऐसा सरकार ने अभी क्या सोचा है ?

Shri M. C. Chagla: It is very difficult question. I have had occasion to point out in this House that any uniform scales of pay to teachers involves various difficulties, the conditions vary from State to State and resources vary from State to State, even in one State there is no parity of scales. There is difference in the pay of administrators from one State to the other. It will be very good thing if we give uniform scales, but except in universities and colleges where we have laid down uniform scales, as far as the schools are concerned, it is the primary responsibility of the States, and I think it will take some time before we can achieve that consummation which we all wish.

श्री विभूति मिश्र : हमारे संविधान में दिया हुआ है कि सब के साथ समता बर्ती जायेगी लेकिन स्कूलों में हम देखते हैं कि कोई प्राइवेट ऐडेड स्कूल हैं, कोई पब्लिक स्कूल हैं, कोई इंगलिश स्कूल हैं, मिशनरी स्कूल हैं तो कोई विलेज स्कूल हैं तो इन सब बातों को देखते हुए क्या सरकार ऐसा निर्णय लेने जा रही है या निर्णय लिया भी है कि हिन्दुस्तान में एक तरह की शिक्षा प्रणाली होगी उस में चाहे सेठ के लड़के पढ़ें, चाहे प्राइम मिनिस्टर या चीफ मिनिस्टर के लड़के पढ़ें और चाहे हल चलाने वाले किसान के लड़के पढ़ें, सब को एक ही शिक्षालय में जाना होगा और सब को एक ही तरीके की शिक्षा मिलेगी ?

Shri M. C. Chagla: The Education Commission has recommended that there should be a common public school system, but it has also recommended that we must raise the standards of our schools, so that all students can go to schools, irrespective of the class they belong to, or the wealth they possess, which are of the finest quality. Therefore, we must proceed along two lines. We must try to do away with disparity and inequality and at the same time raise the standards. I agree that today there are schools which are of a very high order which, it may be said, people of a certain class attend, but we are trying to do away with this disparity by giving scholarships to poor people of merit to attend these schools, but our objective is to render the whole school system so good that there should be no distinction between school and school.

श्री क० ना० तिवारी : अभी मंत्री महोदय ने उत्तर देते हुए बतलाया कि स्टेट टू स्टेट में शिक्षा में फर्क पड़ता है और शिक्षकों की तनख्वाह में भी फर्क पड़ता है तो क्या मैं यह जान सकता हूं कि शिक्षा आयोग ने कोई इस तरीके की सिफारिश की है जिससे कि शिक्षा में और शिक्षकों के वेतन में समानता हो या यह केन्द्रीय विषय बना दिया जावे ?

Shri M. C. Chagla: The Education Commission has recommended that the minimum pay scale of teachers should be at least Rs. 150 all over the country. They have realised the differences that must exist looking to the diversities of our country. With regard to education being a concurrent subject, I am sorry to say that the Commission has taken the view that concurrence is not necessary. (*An Hon. Member:* We want it to be in the Union List): My view has been, which I have expounded before this House very often, that education, at least higher education, should be made a concurrent subject.

श्री बटा सिंह : हमारे देश में हर रोज किसी न किसी समस्या को लेकर जो हमारे अध्यापक लोग हैं उन को ऐजिटेशन करना पड़ता है, सत्याग्रह करना पड़ता है। ऐसी बातें जो हैं ये देश की एजुकेशनल प्रोग्रेस में बहुत बाधा डालती हैं इस बात को ध्यान में रखते हुए मैं यह जानना चाहता हूं कि मंत्री महोदय क्या एक आल इंडिया एजुकेशन सर्विस बनाने जा रहे हैं ? दूसरे जो देहातों में रहने वाले लोग हैं उन के प्रति सरकार ने अभी तक कोई ऐसी नीति नहीं बनाई जिससे गांव में रहने वाले लोगों को एजुकेशन का कुछ अच्छा इन्तजाम हो सके, इन दो बातों की तरफ सरकार का क्या रिएक्शन है ?

Shri M. C. Chagla: I entirely agree with the hon. Member and I concur in the sentiments expressed by him. Teachers in our country are very ill paid. I also agree with him that they should be better paid. But may I point out to him that education is a state subject and the states must try to raise more resources to pay the teachers and they should look upon the payment of teachers' salaries as a matter of top priority?

Shri Buta Singh: What about the first part of my question-all-India education service? Reply has not come to that.

Mr. Deputy-Speaker: Mr. R. S. Pandey.

Shri Buta Singh: It is very important; reply has not come.

Mr. Deputy-Speaker: I am sorry I do not allow it; if you are not satisfied you may take other steps. Everything is important.

Shri Buta Singh: Let him reply. Why are you coming in the way?

Shri R S. Pandey Were the recommendations made by the Commission to be accepted by the Government, what would be the financial commitment in order to increase the salary of teachers?

Shri M. C. Chagla: It will run into hundreds of crores because the number of teachers in our country—it is not often realised—is two million. Even if you increase the salary by Rs. 5 or 10 it will mean a colossal amount. That is the problem. The problem is not lack of sympathy or understanding of the problem of the teachers. The problem is lack of resources. The States must try to raise resources.

Shri Warior: Is the Central Government taking any steps to see that all the States give the same percentage out of their annual budget for education? Some of the states are now giving a high percentage and some other states a low percentage. It should be done away with and a uniform percentage should be allowed. Will the Government take any action in that direction?

Shri M. C. Chagla: The hon. Member should pursued the states. Some levy educational cess and earmark that for education while others do not. The patterns vary from state to state. If my hon. friends will try to persuade the States to realise the importance of raising the salaries of teachers, we will go a long way towards educational reform.

श्री शिव नारायण : यह सरकार अमरीका से सहायता ले कर शिक्षा का प्रसार करना चाहती है । अमरीका में यह सिस्टम है कि प्राइमरी स्कूल के टीचर को तन्ख्वाह यूनिवर्सिटी वालों से ज्यादा है । तो क्या अमरीका सहायता को सरकार इस काम के लिए यूटिलाइज करने के लिए तैयार है ।

Shri M. C. Chagla: I wish that we pay more to our primary school teachers than to our university teachers because, after all, they are moulding the character of our boys and girls, and I realise what a wonderful work they are doing.

Prohibition

*840. **Shri H. C. Linga Reddy:** Will the Minister of **Home Affairs** be pleased to refer to the reply given to the Starred Question No. 232 on the 3rd August, 1966 and state:

(a) whether the proposed State Ministers' conference had been convened and if so, the outcome thereof;

(b) when exactly a final decision would be taken to implement the Tek Chand Committee report on Prohibition?

The Minister of State in the Ministry of Home Affairs and Minister of Defence Supplies in the Ministry of Defence (Shri Hathi): (a) and (b). The meeting has now been fixed for 15th September, 1966. It is expected that thereafter decisions will be taken on the recommendations of the Study Team on Prohibition. It is not possible to indicate a firm date at this stage.

Shri H. C. Linga Reddy: May I know the several comments sent by the States on the report of the Tek Chand Committee and may I also know whether it is true that some of the States have requested that a portion of the expenditure on prohibition policy should be borne by the Central Government?

Shri Hathi: Some of the States have requested the Centre that they should meet the deficit if the prohibition policy is implemented.

Shri Ranga: Has the Government of India agreed to it?

Shri Hathi: That is under consideration.

Shri H. C. Linga Reddy: May I know whether it is true that some of the States have relaxed the rules of prohibition without seeking the Central Government's advice and, if so, what is the reaction of the Government of India thereto?

Shri Hathi: So far as the implementation of the laws is concerned, in some cases relaxations have been made.

श्री हुक्म चन्द कछवाय : जैसा अभी मंत्री महोदय ने बतलाया कि सितम्बर, में बैठक होने जा रही है, क्या इस बैठक में राज्य सरकार और केन्द्रीय सरकार के मंत्रियों में जो मद्यपान फैला हुआ है उस के ऊपर भी विचार किया जायेगा ।

श्री हाथी : मेरे खयाल में ऐसा नहीं है कि मंत्री पीते हैं । लेकिन इस बैठक में टेक चन्द कमेटी की रिपोर्ट में जो रिकमेन्डेशन्स हैं उन पर विचार किया जायेगा ।

श्री हुक्म चन्द कछवाय : मैं ने पूछा था कि राज्य सरकार और केन्द्रीय सरकार के मंत्री जो मद्यपान करते हैं उस पर विचार किया जायेगा या नहीं ।

श्री हाथी : जैसा मैंने कहा मुझे पता नहीं है कि कोई मंत्री शराब पीते हैं या नहीं . . (**व्यवधान**) ।

Shri Tyagi: Drinking is not an official function. How can they put a question about drinking? It is a private affair.

Mr. Deputy-Speaker: Does he mean that those who put question must have tasted the drinks?

श्री हुक्म चन्द कछवाय : कमेटी क्यों बनाई है जब आप को कुछ करना नहीं है । यह तो ऐसी बात है कि जनता को मना करते हैं और मंत्री पीते हैं ।

Shrimati Savitri Nigam: May I know why Government has adopted this method of appointing a committee, getting their recommendations and then not implementing the recommendations? I would like to know what has happened to the recommendations made by the Prohibition Committee headed by Shri Shriman Narayan, why they have not been implemented so far, what has happened to the recommendations of the Tek Chand Committee and why those recommendations have not ben implemented so far?

Some hon. Members *rose*—

Shri Hathi: I would reply to the questions of the hon. lady Member and others, if the other Members will kindly sit down.

Mr. Deputy-Speaker: Order, order. Hon. Members should please sit down.

Shri Hathi: So far as the question as to what has happened to the recommendations of the Tek Chand Committee and other Committees is concerned as I said, the Tek Chand Committee's recommendations were sent to the State Governments for comments. Their comments have come and they have been analysed.

The meeting which was to have been held on 27th August had to be postponed. It is now being held on 15th September. All these matters will be then discussed.

श्री राम सेवक यादव : जब हिन्दुस्तान आजाद नहीं था और जब नशाबन्दी की तरह की कोई पाबन्दी नहीं थी, यानी ड्राई और वेट के कठघरे नहीं थे, तब उत्तर प्रदेश में 7 लाख गैलन शराब बिकती थी, जब वहां नशाबन्दी का कानून बनाया गया और खुश्क और तर क्षेत्र बन गये तब से वहां पर 21 लाख गैलन शराब बिकती है । तो क्या मैं इस से यह समझूं कि सरकार नशे के उपयोग को खुद प्रोत्साहन देती है, उस को रोकना नहीं चाहती ।

श्री हाथी : सरकार की जो नीति है वह तो नशेबन्दी, अथवा प्रोहिबिशन की है मद्यपान को कम करने के लिए । लेकिन चूंकि यह स्टेट का मामला है इस लिये हर एक स्टेट के बारे में मैं नहीं कह सकता कि कितने पीते हैं और कितने नहीं पीते हैं ।

श्री राम सेवक यादव : आप सारे देश के बारे में बतलाइये ।

श्री हाथी : सारे देश में भी दो प्रकार की बातें हैं । एक तो ड्राई स्टेट्स हैं और दूसरी वेट स्टेट्स हैं । जो वेट स्टेट्स हैं वहां यह चालू है और जो ड्राई स्टेट्स हैं वहां यह कम है ।

Shri A. P. Sharma: Is the Government aware that wherever the prohibition scheme has been introduced, i e. in the dry areas, the economic condition of the working class has improved and so many social evils have been removed from their family and social life and if it is so, what is the policy of the Government in regard to introducing the prohibition scheme in what are called wet areas?

Shri Hathi: The hon. member is perfectly right in saying that wherever prohibition has been introduced and implemented, the condition of the working class has definitely improved.

Shri Ranga: Question.

Shri Hathi: There is no question about it. One of the main purposes of implementing this policy is that. About the latter part of his question, there is a phased programme recommended by the Tek Chand Committee to convert them into dry areas.

Shri S. Kandappan: Before asking the recalcitrant States to implement the policy of prohibition, may I know whether the Union Government is prepared to set an example by implementing this policy in its own territories? What are the impediments in implementing it in its own territories?

Shri Hathi: He is right. So far as the Union Territories are concerned, we are taking steps. But it is done in a phased way. After all, we have to look to the social conditions of the people living there. We do not want to do it all of a sudden. *(Interruptions)*.

श्री बृज बिहारी मेहरोत्रा : यह जो टेक चन्द रिपोर्ट आई है उस पर लाखों रुपये खर्च हुए हैं । मैं जानना चाहता हूं कि इस रिपोर्ट की सिफारिशों के अनुसार क्या केन्द्रीय सरकार इस देश में गांधी शताब्दी समारोह तक प्रोहिबिशन करने का विचार कर रही है ।

श्री हाथी : उस में जो सुझाव हैं उन के बारे में हम मीटिंग में जरुर विचार करेंगे ।

श्री सरजू पाण्डेय : मैं यह जानना चाहता हूं कि जब से सरकार ने नशाबन्दी की योजना जारी की है तब से इस देश में शराब पीने वालों की संख्या बढ़ी है या घटी है ? अगर यह संख्या बढ़ी है तो फिर मैं जानना चाहता हूं कि नशाबन्दी लगाने का मतलब क्या है ?

श्री हाथी : नशाबन्दी लगाने का मतलब तो यह है . . .

श्री राम सेवक यादव : बढ़ी है या घटी है ?

श्री हाथी : जैसे आबादी बढ़ी है वैसे ही संख्या भी बढ़ी है, इस में कोई शक नहीं है ।

श्री राम सेवक यादव : प्रतिशत दोनों का बता दें ।

श्री हाथी : यह क्यों जरुरी है, इसके बारे में एक बात स्पष्ट है । नशाबन्दी से जरुर फायदा हुआ है वर्किंग क्लास को और इसमें कोई शक नहीं है । लेकिन केवल कानून से यह काम नहीं हो सकता है । इसके लिए पब्लिक ओपिनियन का बनना भी जरुरी है और उसको बनाने का यत्न होना चाहिये ।

श्री म० ला० द्विवेदी : आप उधर देखते हैं, इधर देखते हैं लेकिन बीच में देखते ही नहीं हैं । मैं कई बार खड़ा हो चुका हूं लेकिन मुझे बुलाया ही नहीं गया है । जो चिल्लाते हैं उनको तो आप बुला लेते हैं और हम जैसों को बुलाते ही नहीं हैं । क्या हम भी चिल्लायेंगे, तब बुलायेंगे ।

Mr. Deputy-Speaker: I can recognise only one person at a time and not two persons. I am giving ten minutes to each question.

Shri Hari Vishnu Kamath: You "identify", not "recognise" one. You "recognise" all.

Mr. Deputy-Speaker: Yes. I can identify only one person. Thank you.

Border Security Force

*841. **Shri Shree Narayan Das:** Will the Minister of **Home Affairs** be pleased to state the steps taken so far for the training, recruitment and maintenance of proper standards of efficiency in the Central Organisation of Border Security Force?

The Deputy Minister in the Ministry of Home Affairs (Shri Vidya Charan Shukla): Various measures have been taken to bring up the Central Border Security Force to a proper level of efficiency; necessary standards have been laid down in regard to recruitment training and maintenance of efficiency so that the force can play its role effectively in the maintenance of the security of the border.

Shri Shree Narayan Das: May I know whether all the border areas are now manned by this Central Security Force or whether there still remains some areas which are not covered by them; if so, what are those areas?

Shri Vidya Charan Shukla: The entire Indo-Pakistan border is manned by the Border Security Force.

Shri Shree Narayan Das: There are some borders bordering on Uttar Pradesh and Bihar. May I know whether that area is also covered by these Central Security Forces or the State police still remains there?

Shri Vidya Charan Shukla: Uttar Pradesh and Bihar have no common border with Pakistan.

Shri Shree Narayan Das: The question relates to Border Security Force. I want to know whether State police is posted there or not?

Shri Vidya Charan Shukla: I have already clarified that Border Secrity Force is manning the border only between India and Pakistan and not on the India-China border.

Shri Ranga: Sir, in view of the special risks taken by the personnel of this Border Security Force and the troubles that they have got to undergo living in these far off places and

at high altitudes without proper amenities, social as well as sanitary, have Government considered the advisability of increasing their allowances as well as their salaries and also supplies in regard to clothing and other things; if so, may I know what special provision has been made for minimising their troubles?

Shri Vidya Charan Shukla: All these things are quite satisfactory. We have received no complaints about these matters.

Shri Ranga: It is not a question of complaints being received. I want to know whether Government themselves have thought about it.

Shri Vidya Charan Shukla: I have already said that these things are quite stisfactory and that we have received no complaints from any quarter about this matter so far.

श्री मा० ला० वर्मा : स्टेट्स में जो बोर्डर फोर्सिस हैं क्या यह सही नहीं है कि एक स्टेट की फोर्सिस में और दूसरी स्टेट की फोर्सिस में तनख्वाह में फर्क है, हथियारों में फर्क है, ड्रेस में फर्क है ?

श्री विद्याचरण शुक्ल : इन्हीं फर्कों को हटाने के लिए एक युनिफाइड बोर्डर सिक्योरिटी फोर्स बनाई गई है । अब ऐसा कोई फर्क नहीं है ऐसी चीजों में ।

Shri Surendranath Dwivedy: I would like to know whether there is any liaison between the Border Security Force and the military in these areas on the Indo-Pakistan border and whether the State police have been completely withdrawn from there or they have some responsibility over those areas?

Shri Vidya Charan Shukla: There is perfect liaison between the armed forces and the Border Security Force on these border areas. As far as the States police are concerned, there are no State police as such in these border areas and all these are looked after by the unified command of the Border Security Force.

Shri Narendra Singh Mahida: What is the percentage of recruitment of the local people in the Border Security Force?

Shri Vidya Charan Shukla: It is a separate question and if he gives notice of a separate question, I shall answer it.

Shri Indrajit Gupta: Just a few days ago we were informed in this House by the Defence Minister that a large number of emergency commissioned officers from the Army were being demobilised. May I know whether in view of the great military importance of the Border Security Force, there is any proposal under consideration to absorb as many of these demobilised officers as possible to serve as officers in the Border Security Force in view of their military experience?

Shri Vidya Charan Shukla: Yes, Sir; we are taking a good many officers retired, or even serving officers, into the Border Security Force from the military.

श्री म० ला० द्विवेदी : क्या सरकार को पता है कि बोर्डर एरियाज जो हमारे हैं और वहां पर जो सिक्योरिटी फोर्स के लोग हैं उन्होंने गांवों के लोगों में अत्याचार मचा दिया है और चरित्रहीनता के लक्षण बताये हैं जिससे गांव वाले बहुत परेशान हैं, यदि हां तो सरकार क्या कार्रवाई कर रही है ?

श्री विद्याचरण शुक्ल : यह बात बिल्कुल गलत है ।

Shri Hem Barua: May I know if it is not a fact that the Border Security Force is meant for the protection of our international borders; if so, whether Government are aware of the fact that instead of allowing them to protect our borders, often the State

Governments, as they did in Shillong (Assam), call upon the Secrity Force to open fire on hungry food-marchers?

Mr. Deputy-Speaker: That does not arise out of it. I disallow it. Shri Sham Lal Saraf.

Shri Hari Vishnu Kamath: The Border Security Force has particular functions.

Mr. Deputy-Speaker: I have called Shri Sham Lal Saraf.

Shri Hari Vishnu Kamath: You should give some plausible reason for disallowing it.

Shri Sham Lal Saraf: The Jammu and Kashmir Government has raised an organisation known as the Home Guards. May I know if those Home Guards are a part of the Border Security Force; if not, what task has been assigned to them?

Shri Vidya Charan Shukla: The Home Guards raised by the Jammu and Kashmir Government are not a part of the Border Security Force. I am not aware of the duties the Jammu and Kashmir Government have given to their Home Guards.

Shri Sham Lal Saraf: The Government is subsidising them. They ought to find out about them.

Shri Swell: Before the Border Security men are sent to the border areas, are they given some sort of mental re-orientation so that when they go to the border areas they look upon the people and the civilian population in the border areas as friends and countrymen and do not behave like triggerhappy robots?

Shri Vidya Charan Shukla: Yes, they are given very proper training and they do treat the border people in a very friendly manner.

Shri Swell: It is very debatable.

श्री राम सहाय पाण्डेय : क्या यह सच नहीं है कि सीमावर्ती क्षेत्रों में रहने वाले इधर की सीमाओं की रक्षा करने के लिए बन्दूकों इत्यादि के लिए एप्लाई करते हैं लेकिन उनको वे नहीं दी जा रही हैं ?

Shri Vidya Charan Shukla: It does not really arise out of this question.

श्री बड़े : मंत्री महोदय ने कहा है कि पाकिस्तान-हिन्दुस्तान बॉर्डर पर बॉर्डर सिक्योरिटी फोर्स रखी गई है । मैं जानना चाहता हूं कि क्या चीन और हिन्दुस्तान के बॉर्डर पर भी इस प्रकार की कोई व्यवस्था है ?

श्री विद्याचरण शुक्ल : वहां पर दूसरी तरह की व्यवस्था है, इस तरह की नहीं है ।

Fertilizer Factory, Haldia

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*842. **Shri P. C. Borooah;**
Shri D. C. Sharma;

Will the Minister of **Petroleum and Chemicals** be pleased to state:

(a) whether Government have asked the Philips Petroleum Company to revise and reduce its estimates for the proposed fertilizer factory at Haldia;

(b) if so, in what circumstances; and

(c) the Company's reaction thereto?

The Deputy Minister in the Ministry of Petroleum and Chemicals (Shri Iqbal Singh): (a) Yes, Sir.

(b) On preliminary examination, the estimates of capital cost were found to be very high and the capacity planned rather low.

(c) Company's reaction is awaited.

Shri P. C. Borooah: The Indian official fertiliser team which recently visited USA and Canada has reported that there are some hesitations among the foreign investors who apprehend

that the continuation of this policy may not be there and they find that so far as this mater is concerned the Indian leadership is a house divided. May I know whether this project also reflects the same hesitation and feeling?

Shri Iqbal Singh: The Indian team did visit the United States of America, Canada and France also. We have explained the Indian position in detail. That is why so many proposals are coming up.

Shri P. C. Borooah: What is the cost of this project and what is the capacity? Is it not a fact that while the proposed cost is too high, the proposed capacity is too low?

Shri Iqbal Singh: The cost which the Philips Company has given is Rs. 90 million and the capacity will be 1,25,000 tons in terms of nitrogen. It will be a complex fertiliser plant. P205 will be 79,000 and K2 will be 26,000 tons.

Shri D. C. Sharma: The Government has asked the Philips Petroleum Company to revise and reduce its estimate. May I know what is the percentage of reduction that the Government has asked for and whether the revision will take place only in terms of production or also in terms of designing and other things.

Shri Iqbal Singh This proposal is by a private party. About designing and other things, it is too early to say. They have only given a preliminary proposal. About that too, we have said that the cost is high and the capacity is low.

Shri D. C. Sharma: I wanted to know what percentage of reduction has the Government asked for....

Mr. Deputy-Speaker: Order, order. You can only ask one question and that has been answered. Please sit down.

Dr. Ranen Sen: May I know, when the Government of India had been negotiating with the Philips Petroleum Company, whether there were terms and conditions in regard to the material, the prices and the marketing or the distribution machinery of the fertiliser that will be produced in this plant and, if so, what are those terms and conditions?

Shri Iqbal Singh: In the preliminary proposal, they have not indicated the detailed terms. One delegation came here and met the officials of this Ministry. We have examined the proposal that they have given and we find that this proposal is not acceptable because the cost is too much and the capacity is low. We have asked them to send a revised estimate. When they send a revised proposal, we shall examine that. These are matters of detail.

Dr. Ranen Sen: My question was whether there were terms and conditions in regard to the material produced, the prices, the distribution machinery, etc.

Mr. Deputy-Speaker: They have asked for further details.

श्री भागवत झा आजाद : सरकार ने विदेशी पेट्रोलियम कम्पनियों को बहुत सी अनुचित सुविधायें दी हैं, जैसे दाम अपनी तरफ से ठीक करना और अपने मन-चाहे एरिया में बांटना, लेकिन क्या सरकार ने कभी यह विचार किया है कि इन अनुचित सुविधाओं के बावजूद भी पैट्रोलियम कम्पनियां हम से दूसरे देशों की अपेक्षा ऊंचा एस्टीमेट देती हैं, जैसे फिलिप्स कम्पनी ने सिलोन और मैक्सिको में उर्वरक के प्लांट के लिए 20 करोड़ रुपये का एस्टीमेट दिया और उसी कैपेसिटी के प्लांट के लिए हमें उस से तिगुना, अर्थात् 60 करोड़ रुपये का एस्टीमेट दिया ?

Shri Alagesan: It is true that we showed some concessions in order to attract the private capital from abroad. We also sent a delegation to

the United States and Canada. As a result of it, this is the only proposal that we have received and, as my colleague has stated, we find that this propsal is tooo costly and we are not able to entertain the proposal.

Shri Bhagwat Jha Azad: What is the reason that they have given an estimate of only Rs. 20 crores for the Mexico plant and for the same capacity they have given an estimate three times more, that is, Rs. 60 crores in our case?

Shri Alagesan: I do not know exactly the cost of this plant elsewhere. I do not know about the country which the hon. Member has mentioned. But I am told that in Taiwan the cost is barely 50 per cent of the Indian cost. One of the reasons that were given was the high import duty that India is levying. I do not have the details before me. So, I cannot go into them. But the cost of this plant as compared with the cost of Durgapur and Cochin plants is high and the capacity is less in terms of nitrogenous fertiliser and is less in terms of ammonia. In spite of the low capacity, the cost is much higher than the Durgapur and the Cochin plants. So, we said that we shall not entertain the proposal and we have asked them to revise it.

Shri Yallamanda Reddy: In view of this experience, may I know whether the Government propose to stop begging for private fertiliser plants from other countries and start depending only on the indigenous production in this at least?

Shri Alagesan: As the House knows, the concessions have been given only to such companies who come up with proposals and to whom letters of intent are issued by March 1967. If any company or any proposal does not qualify for that, then naturally it will not be eligible for those concessions. There is no question of going abegging. It is a question of shortage of foreign exchange which we try to make up by inviting foreign capital.

Shri Joachim Alva: Has the attention of the Government been drawn to the interview given by the Chairman of the Fertiliser Corporation last fortnight to the Press when he has said that they are capable of putting six different units in six different places of the country. They are astonished why we are going in for foreign collaboration. Where is the necessity for foreign—American—collaboration when we want only two million tonnes. We are now producing a million tonnes and by stretching our capacity, we shall be able to produce the requisite quantity.

Shri Alagesan: In fact, this question will be answered when the call-attention notice is taken up. But I am prepared to answer the hon. Member. Regarding the Press Conference and the reports thereon, I am assured by the Chairman who held the Press Conference that he was not properly reported. (*Interruptions*). You should credit our officers with some independence; there is no question of their being afraid of anybody; nobody is going to take them to task.

It is true that we have now developed a technical capacity within the country which can deal with five or six projects in different stages at one and the same time. But I wish to tell the House that to put up one million tonne capacity fertiliser plant in terms of nitrogen, the total cost will be about Rs. 250 crores and the foreign exchange cost will be about Rs. 100 crores. If we have this huge amount, certainly we can do it ourselves. But since we want to supplement what we are able to do by way of utilising our own free foreign exchange by private capital from abroad to make up for the targets that we have fixed before us for the Fourth Plan, we are inviting private capital from abroad.

Shri Hem Barua: While asking the Philips Petroleum Company to revise and reduce its estimates for the pro-

posed fertiliser plant at Haldia, may I know whether our Government appointed any Indian consultants and asked them to draw up a plan, to draw up the estimates, as we did in the case of the Bokaro Steel Plant where we appointed Dastur & Co., and if so, is it a fact that when compared to the estimates prepared by the Indian consultants, the estimates prepared by the Philips Petroleum Company were found to be high, or did the Government ask for a certain reduction without any basis?

Shri Alagesan: I have already answered this question. I have said that there is no need for any private consultants to work out this cost. We are already engaged in the construction of two projects, namely, at Durgapur and Cochin. The estimates, etc., have been prepared by our own people. Compared to that, though the capacity is less, the costs are much higher in the case of Haldia proposal. So, no special consultants or no special working of cost was found necessary. On the face of it the cost was high and so, we returned the proposal.

Shri Muthiah: May I know whether Government have received any proposal from any foreign company either in the United States or in Canada, when the official team went there, for a fertiliser factory in Tuticorin?

Shri Alagesan: I think Tuticorin was also one of the sites that were mentioned in the brochure that was distributed by the Fertiliser Delegation that went abroad. We have not yet received any proposal for putting up a factory at Tuticorin.

Allotment of Land in Ganganagar District (Rajasthan)

*843. **Shri Madhu Limaye:** Will the Minister of **Labour, Employment and Rehabilitation** be pleased to state:

(a) whether it is a fact that lands were allotted to non-claimant refugees numbering around 16,000 families in Ganganagar District of Rajasthan by the Rehabilitation Department of the Central Government;

(b) whether it is a fact that they are demanding a price of Rs. 450 per standard acre from these refugees;

(c) whether it is also a fact that the Centre entered into special arrangements with the State Government in respect of lands in Alwar and Bharatpur Districts resulting in a reduction in the price per acre to Rs. 150;

(d) if so, whether this discrimination had caused a lot of heart-burning among the displaced persons in Ganganagar; and

(e) if so, the steps proposed to be taken to alleviate their hardship?

The Deputy Minister of Labour, Employment and Rehabilitation (Shri D. R. Chavan): (a) Yes. Lands were allotted to about 16,000 displaced persons in Ganganagar district. Out of these 10,487 were non-claimants and 5,763 were claimants.

(b) Yes. The non-claimant allottees have been asked to pay price of the land allotted to them at Rs. 450 per standard acre as provided in the Displaced Persons (Compensation and Rehabilitation) Act, 1954 and the Rules made thereunder.

(c) Evacuee agricultural land in the districts of Alwar and Bharatpur was transferred to the Government of Rajasthan in a package deal for Rs. 1 crore on an ad hoc basis. It is understood that the State Government have framed rules under the Rajasthan Land Revenue Act, 1956 under which the allottee shall pay the price of the land at the rate of Rs. 150 per standard acre.

(d) No discrimination is involved in this case because the Central Government have been charging the price

of the evacuee agricultural land at the uniform rate of Rs. 450 per standard acre from its allottees. So far as Ganganagar district is concerned, the land is of much superior quality, has also irrigation facilities and consequently wherever it has been put to auction, it has fetched a price of Rs. 2,000 to Rs. 3,000 per standard acre.

(e) The question of any hardship being faced by the allottees in Ganganagar district does not arise.

श्री मधु लिमये : अध्यक्ष महोदय, मैं यह जानना चाहता हूं कि गंगानगर में यह जो विस्थापित या निर्वासित आ कर बसे हैं उन में से हरिजन और पिछड़े वर्ग के कितने हैं? इस की तफसील दे सकते हैं ?

Shri D. R. Chavan: I am sorry; I can only give the total number of persons who have been allotted these lands. That figure has already been given in the main answer.

Mr. Deputy-Speaker: He wants to know how many Harijans and members belonging to the backward classes are there.

Shri D. R. Chavan: That information cannot be given. No classification has been made on the basis of caste.

श्री मधु लिमये : अध्यक्ष महोदय, मैं यह जानना चाहता हूं कि चूंकि गंगानगर में किसानों में और निर्वासितों में बड़ा असन्तोष है क्या सरकार उन को भी कोई अनुदान देगी जिस के अनुसार यह जो जमीन का दाम है फी एकड़ वह घट जाएगा ?

Shri D. R. Chavan: In the first place, I refute the allegation made by the hon. Member that there is a lot of heart-burning in Ganganagar district. I may mention for his information that a total of 1,43,000 acres has been allotted to the non-claimant displaced persons. The value of it would be Rs. 4.46 crores. Out of that, about Rs. 2.90 crores has been paid, and the balance that remains is Rs. 1.56 crores. About 2000 allottees have already paid the entire price and sanads have been issued to them.

श्री प० ल० बारूपाल (गंगानगर) : श्रीमान् गंगानगर में लगभग 4 हजार बिना कलेम के हरिजनों परिवारों को सरकार ने जमीन दी है और उसकी किस्तें न देने के कारण जो सरकार ने अभी निर्णय लिया है कि किस्तें स्थगित कर दी गई हैं तो क्या सरकार कुछ ब्याज भी माफ करने पर विचार कर रही है।

Shri D. R. Chavan: There is no such proposal under the consideration of Government.

Shri Nambiar: May I know whether Government would consider the question of reduction of the cost of the land for allottees belonging to the Harijan community, in view of the fact that the Harijans who are now displaced persons are in a very distressed condition in Ganganagar?

Shri D. R. Chavan: The position is that under the Displaced Persons (Compensation and Rehabilitation) Act, it is a statutory rate that has been fixed; and that statutory rate per standard acre is Rs. 450 per standard acre. Taking into consideration the quality of the land and the irrigation that is available in Ganganagar district, I may tell the hon. Member for his information that the land is being sold at a cheaper rate.

श्री शिवनारायण : मैं यह जानना चाहता हूं कि यह जो जमीन गंगानगर में दी गई है वह प्रति परिवार को कितनी दी गई है, कितने एकड़ जमीन एक परिवार को आप ने दी है ?

Shri D. R. Chavan: The allotment has been made on the basis of the number of members in the family. On an average it is between 8 and 18 acres, depending upon the number of members in the family.

श्री जगदेव सिंह सिद्धांती : क्या माननीय मंत्री जी यह बतलायेंगे कि यह विस्थापित न होते हुए भी पार्लियामेंट के किसी एक या अनेक मेम्बरों ने जिला गंगानगर के अन्दर जमीन ली है? अगर ली है, तो इस का क्या कारण है और उन को कैसे दी गई ?

Shri D. R. Chavan: I have no information about any hon. Member of this House purchasing the land in Ganganagar. If the hon. Member points out a specific name, if he writes to me, I will supply the information.

Shrimati Savitri Nigam: How far is this correct that the poor Harijans are not able to earn their living properly and are not getting two square meals, and the price is being charged from them at the statutory rate. I would like to know from the hon. Minister if it is not possible for him to reduce the price on that account, whether he is intending to chalk out some scheme to provide them with some money in the form of loan or grant, so that they may be able to pay that price and may retain that land?

Shri D. R. Chavan: The position is that there is already a scheme under which when the allotment is made to an allottee, he has to pay 10 per cent of the total price of the land, and the rest of the money has to be paid in 15 years in annual instalments, and the rate of interest, simple interest, varies between no interest and 4.5 per rent.

Shrimati Savitri Nigam: I had put quite a different question, and the reply is different.

Shri Nambiar: There is a lot of heart burning among the Harijans there.

श्री रामसेवक यादव : उपाध्यक्ष महोदय, मैं जानना चाहूंगा कि जिस प्रकार गंगानगर और दूसरे जिलों में इन विस्थापित लोगों को

जमीन दी जा रही है इसी तरह से प्रदेश के अन्य जिलों में जहां खाली जमीन खेती लायक पड़ी है वह भूमिहीन और खतिहर मजदूरों को दिलाने के ऊपर भी सरकार विचार कर रही है ?

Shri D. R. Chavan: This question is with regard to the evacuee agricultural land, and the hon. Member is putting a question about the other land which is available. That is a different question.

श्री तुलशीदास जाधव : क्या जो गंगानगर में खेती करने के लिए जमीन दी है उस के साथ कोई बैल वगैरह या पैसा भी कुछ सरकार ने देने का इन्तजाम किया है ? यदि किया है, तो कितना ?

Shri D. R. Chavan: I cannot understand the implication of the question. Will the hon. Member kindly repeat?

श्री तुलसीदास जाधव : जो जमीन उनको दी है उस जमीन पर खेती करने के लिए उन को बैल इत्यादि के लिए सहायता दी है ? यदि दी है तो कितनी सहायता दी है ?

Shri D. R. Chavan: Any benefits which are to be given under the agricultural schemes will fall under the State plan schemes, and these persons will come under the agricultural schemes.

श्री बागड़ी : क्या मंत्री महोदय यह बताने की कृपा करेंगे कि गंगानगर जिले में जिन लोगों का इस जमीन से सम्बंध है वह तमाम पिछड़ी जाति और दलितवर्ग से ताल्लुक रखते हैं और वह जब से पाकिस्तान से आए तब से आज तक उस जमीन पर काबिज रहे हैं तो ऐसी हालत में जब कि देश की आर्थिक स्थिति बिलकुल कमजोर है खासकर उस इलाके के दलित लोगों की तो. क्या सरकार उनसे कीमत वसूल करके उन

जमीनों से जो उजड़ कर एक बार लोग आये थे उनको दोबारा उजाड़ने की ही नीति अपनाना चाहती है या कोई ऐसा रास्ता निकालना चाहती है जिससे कि यह किसान उस जमीन से उजड़ न सकें बल्कि वहीं उस जमीन पर काबिज रह सकें और अगर वह ऐसा रास्ता निकाल रही है तो वह क्या है ?

Shri D. R. Chavan: These lands are being transferred on a permanent ownership basis. Therefore, there is no question of *ujad* here.

श्री बागड़ी : अध्यक्ष महोदय, यह जगजीवन राम जी इसका जवाब क्यों नहीं देते ।

12.00 hrs.

Shri A. K. Gopalan: Could you ask him to answer the next question, No. 844?

Mr. Deputy-Speaker: Is the Minister prepared to answer?

Shri S. M. Banerjee: I request the Minister.

Mr. Deputy-Speaker: I am sorry. Short notice question.

Shri Hari Vishnu Kamath: On a point of order.

Shri Nambiar: The hon. Minister is ready.

श्री बागड़ी : अगर मंत्री जवाब देना चाहे, तो आपको क्या एतराज है ?

Mr. Deputy-Speaker: I have gone to the short notice question. He is not prepared.

Shri Hari Vishnu Kamath: Sir, on a point of order about the short notice question. I do not know by what strange concatenation of circumstances I have received this form which has been overprinted, the same questions on both sides of the paper; and almost simultaneously I received a five rupee currency note overprinted on both sides. Both the Government presses, whether here or the security press in Nasik, are malfunctioning. If you want I shall lay it on the Table.

Shri Hem Barua: Shri Kamath may be asked to lay it on the Table.

श्री हुकम चन्द कछवाय : एक नोट मेरे पास भी है, धुलने के बाद बिलकुल साफ हो गया है, इस में देखिये कुछ नहीं रहा है, पानी से धुलने के बाद साफ हो गया है ।

Mr. Deputy-Speaker: All these questions cannot be raised like this without notice.

श्री हुकम चन्द कछवाय : यह पानी से धुलने के बाद बिलकुल साफ हो गया है ।

Mr. Deputy-Speaker: Without notice nothing can be raised.... (*Interruptions.*) Order, order. There is too much talk going on. Shall we stop the proceedings?

SHORT NOTICE QUESTIONS

Use of Non-ferrous Metals

\+

SNQ. 33. Shri Madhu Limaye:
Dr. Ram Manohar Lohia:

Will the Minister of **Mines and Metals** be pleased to state:

(a) whether Government have defined the terms "Industrial" and "Commercial" use of non-ferrous metals;

(b) whether it is a fact that major consumers like Kamanis, India

Smelting and Devidayal in Bombay have had their quotas increased by 40 per cent. In 1962-63 whereas small consumer-craftsmen's quota was reduced;

(c) whether Government are aware that these three big consumers have been selling brass and copper to the small consumers at double the price which is being paid by the small craftsmen-importers for their own imported quota;

(d) whether Government are aware of the misuse by these three big consumers of their imported copper and zinc for commercial purposes such as, bathroom fittings, staircase; and

(e) if so, the steps taken by Government to prevent this?

The Minister of Mines and Metals (Shri S. K. Dey): (a) In 1962 a distinction was made for purposes of allocation, between "industrial" and "commercial" rolled non-ferrous products. Industrial products are cold rolled close tolerance strips etc. used in engineering industries. Commercial products are hot rolled sheets, circles etc., used for less essential purposes like utensils, building hardwares etc.

(b) The then Ministry of Commerce and Industry increased the quota of Kamani, Devidayals and Indian Smelting and Refining Co. in 1962 in consideration of the fact that they alone were producing close tolerance industrial quality products for use in engineering industries. Subsequently as it became necessary following the Chinese aggression to ensure that non-ferrous metals are used, as far as possible, only for genuine industrial purposes, it was decided that the quota in respect of commercial quality rolled products should be reduced by 30 per cent. The small scale industries sector mostly makes commercial quality rolled products and was affected by this cut.

(c) The producers referred to are required to produce only industrial quality rolled products and to sell them to consumers engaged in engineering production. Monthly production and sales statements are received from these producers and checked by the D.G.T.D. to make sure that only industrial quality rolled products are made and sold to genuine engineering industries and not to makers of utensils, hardwares etc. There is no price control on any semi-fabricated products but these producers have been instructed to advertise the price of their products. No specific complaints have been received regarding the charging of exorbitant prices.

(d) The producers referred to are not manufacturers of bath room fittings, hadware etc. They produce only industrial quality products for industrial uses.

(e) Does not arise.

श्री मधु लिमये : उपाध्यक्ष महोदय, मेरा प्वाइण्ट आफ आर्डर है ।

Mr. Deputy-Speaker: Please ask your question now.

श्री मधु लिमये : क्वेश्चन तो दो सप्लीमेन्ट्री में खत्म हो जायेगा । सप्लीमेन्ट्री जानकारी के लिये हैं, लेकिन इन के झूठ को पकड़ने के लिये क्या किया जायेगा, असत्य को पकड़ने के लिये क्या किया जायेगा ? अभी हाल में एक प्रतिनिधि मण्डल पूना से आया था, जिन्होंने संजीवैया साहब से मुलाकात की थी और इस बात की शिकायत भी की थी । संजीवैया साहब कहां हैं, इस तरह से गलत जानकारी सदन में मंत्री महोदय क्यों दे रहे हैं इस का खुलासा हो तो मैं प्रश्न पूछूं ।

Mr. Deputy-Speaker: Order, order. These things cannot be raised here.

श्री मधु लिमये : इन्होंने कहा है कि हमारे पास कोई निश्चित शिकायत नहीं है ।

Mr. Deputy-Speaker: I cannot help. How can I help it? Please ask your supplementary question.

श्री मधु लिमये : इस पर कार्यवाई कब करेंगे, आज तो सत्र समाप्त हो रहा है ।

Mr. Deputy-Speaker: If he gives information, he must take the information. If he is not satisfied, he may take other steps.

श्री मधु लिमये : वह गलत जानकारी दे रहे हैं, सत्य और सही जानकारी दें । ठीक है फिर 115 में नोटिस या प्रिवलेज मोशन आयेगा । मैं प्रश्न पूछे लेता हूं ।

Shri Tridib Kumar Chaudhuri: Sir, I am raising a point of order. The point of order is, how can this question be put under Mines and Metals. The hon. Minister himself referred to the decisions of the Minister of Industry and Commerce. So, it should have been put under the Industry Ministry for that Minister to answer. He is not here.

श्री मधु लिमये : मैंने श्री संजीवैया के नाम से ही दिया है ।

Mr. Deputy-Speaker: He is the Minister in charge of this subject and he is answering it. Please put your question, Mr. Limaye.

श्री मधु लिमये : मैंने यह उद्योग मंत्री के नाम से दिया था, इस तरह से इस में परिवर्तन कैसे हो गया ? उपाध्यक्ष महोदय, मेरा प्रश्न यह है कि.....

Shri Hari Vishnu Kamath: Who has assigned these questions? Is it your responsibility, the Secretariat's responsibility, or not? Who does this? Does the Minister himself take this responsibility upon his shoulders, or does somebody else do it? Nobody does!

Mr. Deputy-Speaker: I will enquire.

Shrimati Renu Chakravartty: The main bulk of the question is with regard to the quotas. It is not a question of manufacture of non-ferrous metals. The question is with regard to the quotas which have been given to the various industries and commercial houses. Therefore, the responsibility lies really with the Industries Minister.

Shri Ranga: It can be postponed.

श्री मधु लिमये : आप इस पर कब निर्णय देंगे ?

Mr. Deputy-Speaker: There is no time for that now. If you want, it can be put for the next session. I have no objection.

Shri S. M. Banerjee: Sir, a point of order.

Mr. Deputy-Speaker: There cannot be any point of order. I do not allow it. Please put your supplementary, Mr. Limaye. There is no protection and I cannot give any protection.

Shri S. M. Banerjee: I do not want any protection. My question is very simple.

Mr. Deputy-Speaker: I am very sorry. Mr. Limaye will put his question.

Shri S. M. Banerjee: This is the last day. Let us have mutual toleration.

Mr. Deputy-Speaker: Order, order. We cannot go on like this. Please sit down.

Shri S. M. Banerjee: This question cannot be answered by the Minister.

Mr. Deputy-Speaker: You can postpone it for the next session if you want. I have no objection.

श्री मधु लिमये : उपाध्यक्ष महोदय, मंत्री महोदय ने अपने उत्तर में इस बात को कुबूल किया है कि इन तीन कम्पनियों का कोटा बढ़ाया गया था । मैं मंत्री महोदय से जानना चाहता हूं कि 1962 के बाद कम्पनी कानून के मातहत कांग्रेस पार्टी को इन कम्पनियों से कितना चन्दा मिला है और कम्पनी कानून के बाहर भी कितना मिला है ?

श्री शिव नारायण : आपको भी मिला है ।

श्री मधु लिमये : आप बैठ जाइये, आप से सवाल नहीं कर रहा हूं, मैं मंत्री महोदय से पूछ रहा हूं । (**व्यवधान**)

श्री बागड़ी : अच्छा बको, जरा शोर से बको, वहस करो, वक्वास करो ।

उपाध्यक्ष महोदय : बागड़ी, बैठ जाओ ।

श्री मधु लिमये : मैं जानना चाहता हूं कि.....

Mr. Deputy-Speaker: Order, order. Shri Bagri will sit down.

Shri P. Venkatasubbaiah: Sir, on a point of order.

श्री हुकम चन्द कछवाय : उपाध्यक्ष महोदय, रूल पूछिये, किस रूल के अन्तर्गत उठा रहे हैं ।

Mr. Deputy-Speaker: A point of order has ben raised.

श्री रामसेवक यादव : मेरा निवेदन है, उपाध्यक्ष महोदय, आपने स० मो० बनर्जी को व्यवस्था का प्रश्न नहीं उठाने दिया...

Shri N. Sreekantan Nair: Who is he to raise the point of order? How can that be allowed, Sir?

Mr. Deputy-Speaker: What is the rule that has been infringed? Under what rule is he raising the point of order?

Shri N. Sreekantan Nair: You cannot be partial when you sit in the Chair. (*Interruption*).

Shri P. Venkatasubbaiah: I am only putting it before you—how it is relevant to Shri Madhu Limaye's supplementary question.

श्री रामसेवक यादव : मेरा निवेदन है कि श्री स० मो० बनर्जी जो व्यवस्था का प्रश्न उठा रहे थे उसे पहले सुन लिया जाना चाहिए था ।

Mr. Deputy-Speaker: Order, order.

श्री मधु लिमये : मैं यह जानना चाहता हूं कि कम्पनी कानून के मातहत और इस कानून के बाहर कांग्रेस पार्टी को इन तीन कम्पनियों ने कोई चन्दा दिया है और क्या इस वजह से उन का कोटा बढ़ाया गया है ?

Mr. Deputy-Speaker: How is it concerned with this question?

श्री मधु लिमये : कैसे नहीं है ? इन्होंने कहा है कि कोटा बढ़ाया गया है । मैं जानना चाहता हूं कि क्या इस वजह से बढ़ाया गया है कि उन्होंने कांग्रेस पार्टी को कम्पनी कानून के मातहत चंदा दिया था और बाहर भी ? मंत्री जी ठीक तरह से जवाब दें ।

Shri S. K. Dey: I totally repudiate the suggestion.

श्री मधु लिमये : मुझे जानकारी चाहिए हां या ना ? यह जानकारी मैं मांग रहा हूं । क्या जवाब है मैं जानना चाहता हूं ?

Mr. Deputy-Speaker: He repudiates the suggestion.

श्री मधु लिमये : मेरा सजेशन कोई नहीं है बल्कि मैं तो मंत्री जी से इन कम्पनियों के बारे में जानकारी मांग रहा हूं । (**व्यवधान**) उपाध्यक्ष महोदय, आप जरा व्यवस्था करिये मैं जानकारी मांग रहा हूं ।

Mr. Deputy-Speaker: Please ask your question.

श्री मधु लिमये : कोटा बढ़ाया गया है यह तो बतलाया बाक़ी क्या कारण था कोटा बढ़ाने का ?

श्री रामसेवक यादव : मैं व्यवस्था का प्रश्न उठाना चाहता हूं ।

Mr. Deputy-Speaker: There is no point of order. Has the quota been increased?

श्री रामसेवक यादव : बग़ैर सुने हुए कैसे आप कहते हैं कि व्यवस्था का प्रश्न नहीं है ? सवाल पूछा गया है सजैशन नहीं है ।

Shri S. K. Dey: Of course, it has been increased. I have said hat the quota of these three firms had been increased to the extent of about 40 per cent. I must be allowed to give the reasons.

श्री मधु लिमये : चंदा मिला है ? मेरा प्रश्न था कि क्या चंदा मिला है उसका जवाब दिया जावे ?

Shri S. K. Dey: The quota has been increased because the production of industrial sheets demanded very highly sophisticated equipment and know-how. These were the three firms who were doing this work on a fairly massive scale and at the instance of the Government and with encouragement from Government, they went all out to secure sophisticated equipment under DLF for the production of industrial quality products which I have described earlier.

श्री मधु लिमये : यह इररैलेवेंट जवाब दे रहे हैं ।

उपाध्यक्ष महोदय : आर्डर, आर्डर ।

Shri S. K. Dey: It is very relevant.

श्री किशन पटनायक : क्वैश्चन क्या था उसे ज़रा मेहरबानी करके समझ लिया जाये ।

श्री रामसेवक यादव : आप खफ़ा न हों ज़रा सुन लें समझ लें क्योंकि इस तरह से बेकार समय जा रहा है । मैं व्यवस्था का प्रश्न बार-बार उठाना चाह रहा हूं ।

उपाध्यक्ष महोदय : आर्डर, आर्डर ।

श्री रामसेवक यादव : व्यवस्था का प्रश्न आप नहीं सुनेंगे ?

Mr. Deputy-Speaker: Mr. Limaye, have you any other question?

श्री मधु लिमये : मेरे प्रश्न का उत्तर ही कहां आया है ? मैंने पूछा था कि क्या यह बात सच है कि इनसे चंदा मिला है इसका क्या जवाब आया ? चंदा मिला या नहीं ?

Shri S. K. Dey: The allocation had nothing whatsoever to do with the subscriptions.

श्री मधु लिमये : यह इररैलेवेंट है । चंदा मिला या नहीं ?

Mr. Deputy-Speaker: That has nothing to do with this question. I disallow that question.

श्री मधु लिमये : मैं आप का निर्णय मानूंगा । क्या आप ने इसे डिस्ऐलाउ कर दिया है ?

Mr. Deputy-Speaker: Yes.

श्री रामसेवक यादव : आप पक्षपात कर रहे हैं ।

श्री मधु लिमये : खैर, मैं आप का निर्णय मानूंगा ।

मेरा दूसरा प्रश्न यह है कि औद्योगिक और व्यापारिक इस्तेमाल, दोनों में इन्होंने फ़र्क किया है और कहा है कि यह तीनों कम्पनियां औद्योगिक कार्यों में ही अपने तांबे और जस्ते आदि का इस्तेमाल करती हैं जब कि हकीकत दूसरी है और मैं यह उन के सामने एक उनका मेरे द्वारा सर्टिफाई किया हुआ विज्ञापन रखता हूं जिनसे साफ होगा कि उन कम्पनियों में स्टेयरकेस के लिए चीजे बनती है या उसी तरीके से अमीर लोगों के जो बाथरूमस होते हैं उनकी फिटिंग्स वगैरह वहां पर बनती हैं। मैं मंत्री महोदय से पूछना चाहता हूं कि जिस तरीके से सोनाबंदी कानून करके आप ने 5 लाख स्वर्णकारों के कुटम्बों को मिट्टी में मिला दिया है उस तरीके से जो तांबे और पीतल के बर्त्तन बनाने वाले छोटे कारीगर हैं, मध्यम स्थिति के लोग हैं, उन को व्यापारिक इस्तेमाल और कमर्शियल यूज के नाम पर आप की यह बड़ी कम्पनियां खत्म कर रही हैं। इस सर्टिफाई किये हुए विज्ञापन को आप ले लीजिये। मैं इसे टेबल पर रख रहा हूं। यह बड़ी कम्पनियां आयात किये हुए अपने तांबे और जस्ते का, वाणिज्यक कार्यों, जैसे गुसलखानों में लगाई जाने वाली वस्तुयें, सीढ़ी आदि के लिए दुरुपयोग करते हैं।

श्री बागड़ी : इसे सदन-पटल पर रखवाइये।

श्री मधु लिमये : मैं नियम 369 के मातहत इस सर्टिफाइड विज्ञापन को सदन की टेबल पर रख रहा हूं। [पुस्तकालय में रखा गया, देखिये संख्या LT-7103/66] क्या इन बड़ी कम्पनियों को अमीर लोगों के मकानों में सीढ़ियां लगाने या बाथरूम्स में लगाई जाने वाली वस्तुएं तैयार करने के लिए आप ज्यादा कोटा देते हैं और गरीब और मध्यम दर्जे के जो बर्त्तन बनाने वाले छोटे दस्तकार लोग हैं, कारीगर लोग हैं उनको आप कोटा न देकर उनकी जिंदगी को आप मिट्टी में मिला रहे हैं, यह मैं जानना चाहता हूं ?

Shri S. K. Dey: Sir, apparently, the hon. Member did not follow part of the answer. I have already given which covers the answer to this question. I mentioned specifically:

> "The producers referred to are not manufacturers of bath room fittings, hardware etc. They produce only industrial quality products for industrial uses."

Now, Sir, these firms submit monthly statements of their production as also their supplies to the DGTD. They are very carefully analysed by the DGTD. If there has been any departure, if the hon. Member brings it to my notice I shall certainly look into it and see that remedial measures are taken.

Mr. Deputy-Speaker: Shri Limaye may place that document on the Table of the House.

Shrimati Renu Chakravartty: Sir, here is a proof that what the hon. Minister has said is a downright falsehood. He has misled the House in the first instance. We clearly heard him saying that these companies do not manufacture bath room fittings. It has been proved that they are manufacturing these things.....

Mr. Deputy-Speaker: We cannot go into that during the Question Hour. She may raise it by other means.

Shrimati Renu Chakravartty: It shows that donations have been given by the firm to the Congress Party.... (*Interruptions*)

Mr. Deputy-Speaker: Order, order.

Shri S. M. Banerjee: I want to know whether it is in the knowledge of the hon. Minister that these companies, as pointed out by Shri Madhu Limaye, were utilising their quota not for the purpose for which they were given but for other purposes. Also, may I know whether it is a fact that a particular company known as Hindustan Barrels were also blacklisted by the Ministry of Industries for the last three years but they are

constantly and continuously getting their quotas—even today they are getting it—because this firm belongs to Mr. Jalan, one of the big bosses who have donated huge sums of money to the Congress coffers?

Shri S. K. Dey: I do not have the information about the company named by the hon. Member; if he gives me notice I shall be very happy to collect the information and supply it to the House.

Shri S. M. Banerjee: Sir, my question arises out of the question which he answered.

Mr. Deputy-Speaker: He has no information.

Shri S. M. Banerjee: Sir, for the last three years this firm stands suspended, blacklisted and still they are getting their quota in Bombay. The officer who blacklisted them is being sacked. It is a very serious charge.

Shri S. K. Dey: I have said that the question as has been tabled covers three companies: Kamani, Devidayals and Indian Smeling and Refining Company.

Shri S. M. Banerjee: I am talking of Jalans.

Shri S. K. Dey: I do not have the data about Jalans. I shall be very happy to collect the information and supply it.

श्री हुकम चन्द कछवाय : मंत्री जी ने अभी बतलाया कि उन को जो कोटा दिया गया उस का प्रमुख कारण यह है वह बाहर से मशीनें मंगाते हैं । मैं जानना चाहता हूं कि कितने रुपये की मशीनें मंगाई गई हैं, और जिस प्रकार से उन का कोटा बढ़ाया गया है उसी प्रकार से छोटे-छोटे बरतन बनाने वाले जो हैं उन का भी कोटा बढ़ाया गया है । यदि हां, तो उन का कितना कोटा बढ़ाया गया है ?

उपाध्यक्ष महोदय : वह तो उन्होंने बतलाया ।

Shri Bade: We want to know up to what amount they have imported the sophisticated machines and whether they are giving the metal to the small manufacturers.

Shri S. K. Dey: I require notice, Sir.

श्री हुकम चन्द कछवाय : आप ने मंत्री महोदय के उत्तर पर ध्यान दिया गया होगा कि चूंकि मशीनें बाहर से वह मंगाते हैं इसलिये उन को कोटा दिया गया । मैं जानना चाहता हूं कि कितने रुपये की मशीनें मंगाई गई हैं । क्या उन को इस के लिये भी नोटिस चाहिये ।

श्री रामसेवक यादव : मैं जानना चाहता हूं कि क्या इस फर्म का इसलिये कोटा बढ़ाया जाता है कि नेताओं के लड़कों को उस में नौकरी दी जाती है । मैं साफ प्रश्न पूछना चाहता हूं कि क्या इस कम्पनी में गुजरात के भूतपूर्व मुख्य मंत्री का एक लड़का भारी तनख्वाह पर काम कर रहा है ।

Mr. Deputy-Speaker: You are making insinuations. Shri Bagri.

श्री बागड़ी : मैं मंत्री महोदय से कुछ जानने से पहले यह अर्ज करना चाहूंगा कि आज के अखबार में जयन्ती शिपिंग कम्पनी का एक कार्टून है जिस में सारे मंत्री फंसे हुए दिखलाई पड़ते हैं । प्रधान मंत्री से ले कर सारे दूसरे मंत्री उस की गिरफ्त में हैं . . .

डा० राम सुभग सिंह : सारे मंत्री कहां हैं ।

श्री बागड़ी : हां, आप नहीं हैं । आप से बड़े-बड़े, आप छोटों में हैं । इन तीनों कम्पनियों का जो कोटा बढ़ाया गया है वह बिल्कुल गैर-कानूनी तौर पर है और पक्षपात की बिना पर दिया गया है । मैं जानना चाहता हूं कि क्या मंत्री महोदय इस की जांच करवानें

के लिए कोई जांच आयोग बनाने के लिये तैयार हैं ।

Mr. Deputy-Speaker: It is argumentative. I am disallowing it.

श्री बागड़ी : मैंने पूछा है कि क्या वह जांच आयोग मुकर्रर करने के लिये तैयार हैं ।

Mr. Deputy-Speaker: Are you prepared to institute an inquiry?

Shri S. K. Dey: The question of having any inquiry does not arise.

Shri J. B. Kripalani: May I submit to the Opposition that the ministers are not likely to know what money has been paid into the coffers of the Congress. How are they likely to know it?

श्री त्यागी : क्या मंत्री महोदय बतलाने की कृपा करेंगे कि कितने रुपये की कीमत का कोटा उन का बढ़ाया गया है और कितने रुपये कीमत का सामान उन्होंने सोफिस्टिकेटड चीजों को बनाने के लिये बाहर से मंगाया है ।

Shri S. K. Dey: It is not possible for me.... (*Interruption*). Shall I be permited to answer it?

*Interruptions***

Mr. Deputy-Speaker: Order, order. This will not go on record.

*Interruptions***

Shri S. K. Dey: I would require notice so far as the equipment is concerned. As far as the material is concerned, I can give the figures. The total cost of copper and zinc supplied to the three firms in 1961-62 had been 127 lakhs, 256,000 and 26,32,000 to the three companies. In 1964-65, it has been 213 lakhs in respect of copper and 35 lakhs in respect of zinc. About equipment, I will require notice.

Mr. Deputy-Speaker: Next Question.

श्री मौर्य : मैं इतनी बार उठा । आप ने देखा । आप को बीच में टोका भी गया । आप मुझ को प्रश्न पूछने दीजिये ।

Mr. Deputy-Speaker: I am sorry. There is a heavy agenda to go through today. Next Question.

Nagarjunasagar Project

\+

S.N.Q. 34. Shrimati Vimla Devi:
Shrimati Yashoda Reddy:
Shrimati Laxmi Bai:
Shri D. B. Raju:
Shri Kolla Venkaiah:
Shri Ramapathi Rao:
Shri C. Dass:
Shri Narasimha Reddy:
Shri Yallamanda Reddy:

Will the Minister of **Irrigation and Power** be pleased to state:

(a) whether the work at Nagarjunasagar Project has been slowed down and there is retrenchment even among the Engineering staff due to want of funds; and

(b) if so, the steps Government are taking to avoid this crisis?

The Minister of State in the Ministry of Irrigation and Power (Dr. K. L. Rao): (a) Not so far.

(b) The question of providing additional financial assistance for this project is under active consideration.

Shrimati Vimla Devi: The hon. Minister has just now said that the work has not been slowed down so far. But we know from the Andhra Pradesh officials that the work is being slowed down. Now, the Minister says that he is going to consider it and that it is under active consideration to provide additional financial assistance for this project. May I know whether this big project is at an advanced stage of construction and is ready to yield results and, if so, in view of the rice shortage in the country, when the project is going to yield results and what are the steps taken by the Government to achieve the benefits of the project immediately.

**Not recorded.

Dr. K. L. Rao: It is agreed that the project is at an advanced stage of construction and is going to yield results. Therefore, it is under the active consideration of the Government to see how it can improve its financial resources.

Shrimati Vimla Devi: The Cabinet Minister and the Minister of State for Irrigation have so many times assured the House that they are considering the question of national projects to be taken over by the Central Government. They always say that there is no money now and that they will consider it in future. May I know when the Government which no money is able to spend Rs. 350 crores for importing foodgrains from outside, why is it that they are not prepared to spend Rs. 12 crores on this project which will yield 15 lakh tons of rice? I want to know why the Government is denying that money to this project.

Dr. K. L. Rao: As I submitted already, the Government is fully aware of the situation and they are trying to see how far they can help this project.

Shrimati Vimla Devi: May I know whether money will be given immediately or not?

Mr. Deputy-Speaker: Order, order.

Shri Kolla Venkaiah: On the advice of the late Prime Minister, Shri Lal Bahadur Shastri, we are missing a meal on Mondays; on the advice of Shrimati Gandhi, we are missing rice on Thursdays and on the advice of the Delhi Administration, we are missing rice on Saturdays. Would the Prime Minister, the Finance Minister, the Irrigation Minister and the Food Minister, all together, consider the great national loss to the production by not giving sufficient funds for this project and take this project as a national project and complete it early?

Dr. K. L. Rao: As I said, it is under active consideration. The hon. Member's suggestion is noted.

Shri Yallamanda Reddy: The hon. Minister was telling just now that the question was under active consideration. In the Rajya Sabha also it was said that they were going to sanction some money. But when a deputation of Andhra M.P.s called on the hon. Finance Minister and the hon. Minister for Planning yesterday and day before yesterday, the deputationists were categorically told that they were not going to consider this question and that they were not going to grant any amount for this project. They said, "let it be stopped". May I know whether this fact has been brought to the notice of the Minister and if so, what is the Ministry doing about it?

Dr. K. L. Rao: It has not been officially brought to the notice of the Ministry.

Shri Thirumala Rao: May I know whether this Ministry is fully aware of the unhelpful and unsympathetic attitude that is being expressed from time to time to the members of this House? The Finance Minister is helpless, the Minister for Irrigation is helpless, the whole Government seems to be helpless except when they ask for more rice from Andhra Pradesh. May I know when the Government will take up this question as a matter of urgent public importance? We are spending hundreds of crores of foreign exchange to import foodgrains from abroad. It should not be difficult for the Government to meet this demand of Rs. 15 or 20 crores. Will the Government as a whole give their immediate attention to this problem?

Dr. K. L. Rao: The hon. Member's observations have been noted.

Shri Ranga: May I know whether it is a fact that in view of the failure of the Government to provide necessary funds and also of the reported accident that has taken place in regard to the shutters there, the water is not being supplied for irrigation during this year and the expected surplus

production of 3 to 5 lakh tonnes of rice for which today the country is hungering is not going to materialise at all—because of this continued failure of the Government ?

Dr. K. L. Rao: Actually the work in the dam is proceeding. The work has not been completed; it has been partly done. This year we are allowing water to the canal for the purposes of testing and it is not meant for supply on a certain basis because the height of the dam has not come up. We are hoping that the dam will be completed after the monsoon is over and it will be possible then to send water to whatever canals have been done in the next year.

Shri Ranga: Does that mean that so far as this year is concerned, there would be no production?

Dr. K. L. Rao: There is one benefit this year. The supply of water that went into the canal, especially on the left side, has served this way: they have filled up tanks in an area where there is no rainfall, namely, in the Nalgonda district.

Shri P. Venkatasubbaiah: In view of the fact that Andhra Pradesh is a surplus State in foodgrains and this project has been undertaken not only with the finances of the Central Government but also with the finances of of the State Government to serve a national cause, this step-motherly and hostile attitude of the Central Government is causing a great resentment among the people of Andhra Pradesh. A time will come when Andhra Pradesh will not allow even a grain to go out of Andhra if sufficient funds are not allotted for the speedy execution of this project.

Dr. K. L. Rao: I am afraid the hon. Member is rather agitated. I would only say that I would pass on his suggestion to the hon. Minister of Food and Agriculture.

Shri Warior: I want to know from the hon. Minister whether in the face of opposition of the Finance Minister as reported here, the Minister concerned is ready to divert any other amount and fulfil the target of the scheme—about Rs. 12 crores—and get the canal water for irrigation purposes and for growing more rice so that we in Kerala may be fed.

Dr. K. L. Rao: Again this is a suggestion of the hon. Member that we should be able to divert funds from one project to another. That is a matter to be discussed with the Finance Ministry. The hon. Member's suggestion will be borne in mind.

Shri Shivaji Rao S. Deshmukh: In view of the national importance of the question of taking large projects in the Central sector, may I know what financial criteria the Government propose to levy as to the original cost of the project, as to the increased cost of the project, as to the benefits which are to accrue at the commencement of the project and as to the financial feasibility which may arise as a result of the increased cost? I also want to know whether the Government is in a position to assure this House definitely that those projects which are financially feasible would, under no circumstances, be allowed to be held up.

Dr. K. L. Rao: The hon. Member has raised a very important question, i.e., the Central assistance for major irrigation projects. It is quite true, and our experience has so far been, that unless these projects are separately treated and given special attention, we are not able to reach the targets. That has been the case with regard to the Rajasthan Canal. In the Third Plan we were not able to reach the target. Similar is the case with regard to some other also. Therefore, one of the points that is being discussed and pressed by the Ministry of Irrigation and Power is that for major irrigation projects, there should be some sort of an arrangement by

which the amount of money shall not be linked up with the States.

Shri Shivaji Rao S. Deshmukh: My question has not been answered..... (*Interruptions*)

Mr. Deputy-Speaker: Order, order.

Shri Shivaji Rao S. Deshmukh: My question was about financial feasibility. That has not been answered.....

Mr. Deputy-Speaker: That is only a suggestion. It is not a question. (*Interruptions*)

Order, order. Mr. Shivaji Rao Deshmukh may please sit down.

Shri Shivaji Rao S. Deshmukh: My question was.....

Mr. Deputy-Speaker: He is obstructing the proceedings of the House. Order, order.

Mr. Venkatasubbaiah.

Shri Yallamanda Reddy: I rise on a point of order.

Mr Deputy-Speaker: There cannot be any point of order now. One item of business is over and we are going on to the next. He may please sit down.

Shri Yallamanda Reddy: Regarding the answer of the Minister....

Mr. Deputy-Speaker: He had asked his question and the answer came.

Shri Yallamanda Reddy: Not about the question. The Minister has said something....

Mr. Deputy-Speaker: He may please sit down. Does he want me to take action against him?

Mr. Venkatasubbaiah.

WRITTEN ANSWERS TO QUESTIONS

Central Wage Board for Rubber Plantation Workers

*844. **Shri P. Kunhan:**
Shri Imbichibava:
Shri M. N. Swamy:
Shri Warior:
Shri Vasudevan Nair:

Will the Minister of **Labour, Employment and Rehabilitation** be pleased to state:

(a) whether Government have received the Report of the Central Wage Board for Rubber Plantation workers;

(b) if so, its main recommendations;

(c) the decision of Government thereon;

(d) if the reply to part (a) above be in the negative, the reasons therefor; and

(e) when Government are likely to get the report?

The Minister of Labour, Employment and Rehabilitation (Shri Jagjivan Ram): (a) to (c). The Report of the Wage Board has been received and is under the consideration of the Government.

(d) and (e). Do not arise.

Incidents in Chandni Chowk, Delhi

*845. **Shri Umanath:**
Shri A. K. Gopalan:
Shri Maurya:
Shri Yashpal Singh:

Will the Minister of **Home Affairs** be pleased to state:

(a) whether the Chief Commissioner, Delhi constituted a two-man fact-finding Commission to investigate into the looting of shops in Chandni Chowk, Delhi on the 14th March, 1966;

(b) the findings of the Commission;

(c) the action taken by Government thereon;

(d) whether Delhi General Merchants' Association has demanded judiical enquiry into the looting;

(e) if so, the reasons advanced by the Association; and

(f) the decision taken thereon?

The Deputy Minister in the Ministry of Home Affairs (Shri Vidya Charan Shukla): (a) to (c). No such Commission was appointed by the Chief Commissioner, Delhi. However, an estimate of loss suffered by the traders due to looting of their shops and restaurants in the Chandni Chowk and Fatehpuri areas of Delhi on 14th March, 1966 was made by the Sub-Divisional Magistrate of the area and the Assistant Commissioner, Sales Tax. These officers recommended relief in 16 cases. A sum of Rs. 1,50,000 has since been disbursed to these traders as loans.

(d) No, Sir.

(e) and (f). Do not arise.

Emergency

*846. **Shri S. M. Banerjee**: Will the Minister of **Home Affairs** be pleased to state:

(a) whether a final decision has since been taken to revoke the Emergency; and

(b) if not, the reasons for this abnormal delay in taking a decision?

The Minister of Home Affairs (Shri Nanda): (a) No, Sir.

(b) The matter is being constantly kept under review in the light of the external threats faced by the country and factors bearing on national security. The full position has been explained in various statements on the subject made in the House during the Budget Session.

Oil Barges for Cochin Refinery

*847. **Shri Warior:**
Shri Vasudevan Nair:

Will the Minister of **Petroleum and Chemicals** be pleased to state:

(a) whether Government ropose to purchase oil barges for use at Cochin;

(b) if so, the number thereof;

(c) whether the Union of the workers in private Oil Companies at Cochin has suggested to Government to purchase the surplus barges with Esso and Burmah Shell in order to reduce the number of workmen to be retrenched by the private companies; and

(d) if so, the reaction of Government thereto?

The Minister of Petroleum and Chemicals (Shri Alagesan): (a) No, Sir.

(b) Does not arise.

(c) **Yes, Sir.**

(d) As Indian Oil Corporation has no proposal to buy any barges for the movement of products at Cochin the question of acquiring barges from other oil companies does not arise.

Payment of Bonus Act, 1965

*848. **Shri Yashpal Singh**: Will the Minister of **Labour, Employment and Rehabilitation** be pleased to state:

(a) whether the Government of Maharashtra have suggested the incorporation of a fresh section in the Payment of Bonus Act, 1965 to safeguard the existing quantum of bonus averaged over three to five years; and

(b) if so, Government's reaction thereto?

The Minister of Labour, Employment and Rehabilitation (Shri Jagjivan Ram): (a) Yes, Sir.

(b) The suggestion is being examined along with others.

बिहार राज्य के गांवों में मिट्टी के तेल की कमी

*849. श्री विभूति मिश्र :
श्री क० ना० तिवारी :

क्या पेट्रोलियम और रसायन मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि बिहार राज्य के गांवों में मिट्टी के तेल की कमी अभी तक बनी हुई है ; और

(ख) यदि हां, तो उन गांवों में उचित ढंग से मिट्टी का तेल उपलब्ध कराने के लिये सरकार क्या योजना बना रही है ?

पेट्रोलियम और रसायन मंत्री (श्री अ० म० थामस) : (क) बिहार राज्य सरकार ने हमें बताया है कि उपलब्ध रिपोर्टों से किसी स्थान पर मिट्टी के तेल की कमी प्रतीत नहीं होती है ।

(ख) प्रश्न नहीं उठता ।

Future of Goa

*850. **Shri H. C. Linga Reddy:** Will the Minister of **Home Affairs** be pleased to state:

(a) the respective latest stand taken by the Mysore and Maharashtra Government as regards the future of Goa;

(b) the latest stand taken by the present ruling party in Goa and the stand taken by the other political parties;

(c) whether it is a fact that the Late Prime Minister Jawaharlal Nehru had given an assurance that the *status quo* in Goa could be maintained for period of ten years; and

(d) if so, the reaction of Government thereto?

The Minister of Home Affairs (Shri Nanda): (a) to (d). The stand of Maharashtra is merger of Goa with Maharashtra while Mysore demands continuance of present status of Goa for 10 years. The Maharashtra-wadi Gomantak Party demand merger of Goa with Maharashtra; the United Goans would prefer Goa to be a distinct entity with full statehood.

On the 16th March, 1964, while answering supplementary questions in the Lok Sabha, the late Prime Minister, Shri Nehru stated as follows:—

> "The Government of India feel that the present is not the time to do it. Whether it is desirable or not desirable is another question. It is not the time to do it, soon after the liberation of Goa, the elections there etc. In any event it requires some time to quieten down, for feelings not to be excited there. There is a very strong party there, may be it is not a majority but just nearly half which is very much opposed to merger. So, raising the question now creates difficulties, creates trouble and diverts people's attention from the work of consolidation in Goa, and it is better for a few years to elapse. Then the matter may be taken up and let them decide as they choose. The Government of India does not see any need for any hurry in this matter. It is immaterial whether it is done after five years' or ten years' time".

Decisions have yet to be taken regarding certain steps in connection with the determination of the future of Goa.

Development of Hindi

*851. **Shri Shree Narayan Das:** Will the Minister of **Education** be pleased to state:

(a) the latest position with regard to the plan and programme for the development of Hindi and its propagation in non-Hindi speaking States that is being implemented at present;

(b) whether the past performance in this respect has been reviewed; and

(c) if so, the result thereof?

The Deputy Minister in the Ministry of Education (Shri Bhakt Darshan): The various Schemes and programmes which have been instituted by the Ministry of Education for the development of Hindi and its propagation in Non-Hindi Speaking States in the previous plans are proposed to be continued during the Fourth Plan Period. Details of such schemes and programmes have already been laid on the Table of the Lok Sabha, in reply to Starred Question No. 426 answered on the 24th November, 1965. A few new schemes, such as the teaching of Hindi to non-Hindi speaking people and foreigners through Correspondence Courses, organisation of Study Camps, publication of monthly Hindi News letter for projecting information regarding propagation and development of Hindi, publication of Hindi Primers and self-taught readers and preparation of teaching aids like linguaphones, tapes etc. are also proposed to be implemented during the Fourth Five Year Plan.

(b) and (c). The progress of the schemes is reviewed from time to time. They have started yielding good results.

Voluntary Retirement Scheme for Central Government Employees

*852. **Shri P. C. Borooah:** Will the Minister of **Home Affairs** be pleased to state:

(a) the steps so far taken to assess the work load in different departments of the Government with a view to determining the extent of surplus staff in such departments;

(b) to what extent voluntary retirement scheme applicable to Government employees has been implemented; and

(c) whether those having fulfilled the conditions of service entitling an employee to seek voluntary retirement, but not declared surplus will also be allowed to opt for retirement with a view to enable the absorption of surplus staff, who would not like to be relieved of their jobs?

The Deputy Minister in the Ministry of Home Affairs (Shri Vidya Charan Shukla): (a) The Staff Inspection Unit of the Ministry of Finance has since 1964 been carrying out work measurement studies in various Government offices to assess the staff requirements and locate surpluses. The Unit has recently been strengthened and its activities intensified.

(b) So far, no surplus staff surrendered to the Central Cell has opted for the benefit of this scheme.

(c) The matter is under consideration.

Supreme Court Judgment on Bonus Act

*853. **Shri S. M. Banerjee:** Will the Minister of **Labour, Employment and Rehabilitation** be pleased to refer to the statement made in response to Calling Attention Notice on the 9th August, 1966 and state:

(a) whether Government have since considered the Supreme Court Judgment declaring some of the sections of Payment of Bonus Act, 1965 as invalid; and

(b) if so, the steps proposed to be taken to safeguard the legitimate interests of the workers after considering the judgement?

The Minister of Labour, Employment and Rehabilitation (Shri Jagjivan Ram): (a) and (b). The matter is under consideration in consultation with the State Governments.

Cochin Refinery

*854. **Shri Warior:**
Shri Vasudevan Nair:

Will the Minister of **Petroleum and Chemicals** be pleased to state:

(a) whether the petroleum products from Cochin Refinery will be distri-

buted solely by the Indian Oil Company;

(b) whether Government propose to take over the installations of the private Oil Companies at Cochin;

(c) whether the workers of the private companies have made the request for taking over of these Companies in order to avert retrenchment; and

(d) if so, the attitude of Government thereto?

The Minister of Petroleum and Chemicals (Shri Alagesan): (a) Yes, Sir. However, the products will be given by the I.O.C. to the other Oil Companies for marketing under 'Product Exchange Arrangements.'

(b) No. Sir.

(c) Yes, Sir.

(d) Steps are being taken to absorb the surplus staff of private oil companies to the maximum possible extent in the Indian Oil Corporation Limited (Marketing Division), Cochin Refinery and other Public and Private enterprises in that region.

Development of Sindhi Language

*855. **Shri Madhu Limaye:** Will the Minister of **Home Affairs** be pleased to refer to the reply given to Unstarred Question No. 1942 on the 10th August, 1966 and state:

(a) whether Government's attention has been drawn to the 6th Report (1964) of the Commissioner of Linguistic Minorities (para 314) wherein he says that the only way of preserving the Sindhi language is to include it in the VIII Schedule of the Constitution;

(b) whether it is a fact that the Prime Minister during the A.I.C.C. Session in Bombay, had assured a deputation of Akhil Bharat Sindhi Boli and Sahitya Sabha that Sindhi would be included in the VIII Schedule;

(c) if so, whether this assurance has been repeated by the Sindhis of Delhi and Hyderabad; and

(d) the reasons for the delay in bringing forward a constitutional amendment in respect of the demand for the inclusion of Sindhi in the VIII Schedule of the Constitution?

The Deputy Minister in the Ministry of Home Affairs (Shri Vidya Charan Shukla): (a) Yes, Sir.

(b) and (c). The Prime Minister has said that their demand would be looked into.

(d) The matter is under examination.

Exploration and Excavation of Sites of Archaeological Importance

*856. **Shri Shree Narayan Das:** Will the Minister of **Education** be pleased to state:

(a) whether it is a fact that the work of the exploration and excavation of sites of archaeological importance is not proceeding according to plan;

(b) if so, the reasons therefor; and

(c) the steps taken to expedite these works?

The Deputy Minister of Education (Shri Bhakt Darshan): (a) and (b). No, Sir; except that, out of ten items, one work was interrupted due to Indo-Pakistan disturbances and another has been deferred to enable the completion of another work already on hand.

(c) The matter will go up before the Standing Committee of the Central Advisory Board of Archaeology for consideration, along with the further items to be taken up.

Planning and Development Organisation, Sindri

*857. **Shri Yashpal Singh:**
Shri Shree Narayan Das:

Will the Minister of **Petroleum and Chemicals** be pleased to state:

(a) whether Government's attention has been drawn to the press reports that the Planning and Development Organisation, Sindri, which is capable of erecting two fertilizer plants of any size a year, is not entrusted with any work and the scientists employed there, are very much agitated over this; and

(b) if so, the reasons for not giving the work to the organisation?

The Minister of Petroleum and Chemicals (Shri Alagesan): (a) Yes, Sir.

(b) The report is not correct. Government have already allotted two large-sized fertilizer projects at Durgapur and Cochin to the Fertilizer Corporation of India and F.A.C.T. They intend utilising the services of these two organisations for setting up similar fertilizer projects in future also.

Retrenchment by Foreign Oil Companies

*858. **Shri S. M. Banerjee:** Will the Minister of **Labour, Employment and Rehabilitation** be pleased to state:

(a) whether it is a fact that necessary instructions have been issued to the foreign Oil Companies to stop retrenchment of their employees on the grounds of automation and rationalisation;

(b) if so, whether the Oil Companies have accepted this; and

(c) if not, the steps taken by Government to get these instructions implemented?

The Minister of Labour, Employment and Rehabilitation (Shri Jagjivan Ram): (a) No,

(b) and (c). Do not arise.

Rebellion in Khasi and Jaintia Hills

*859. **Shri P. C. Borooah:** Will the Minister of **Home Affairs** be pleased to state:

(a) whether Government's attention has been drawn to reports that Pakistan is now plotting to stir up a rebellion in Khasi and Jaintia Hills along the lines of the recent happenings in Mizo Hills;

(b) if so, whether Government have verified the report that about 1500 Khasis are receiving military training in East Pakistan; and

(c) Government's reaction thereto?

The Deputy Minister in the Ministry of Home Affairs (Shri Vidya Charan Shukla): (a) Yes, Sir.

(b) These and similar reports are duly taken note of and verified by government.

(c) Government are aware of the developing situation and have taken measures to strengthen the border security.

P.&T. Quarters in Ramakrishnapuram

4261. **Shri Rajdeo Singh:**
Shri Bal Krishna Singh:

Will the Minister of **Communications** be pleased to state:

(a) whether it is a fact that there have been leakages in most of the Posts and Telegraphs Quarters in Sector No. VI in Ramakrishnapuram, New Delhi;

(b) if so, whether these quarters were passed without detailed examination;

(c) whether Government propose to get these quarters re-examined; and

(d) the reasons for not prividing bulbs on the street lights?

The Minister of State in the Departments of Parliamentary Affairs and Communications (Shri Jaganatha Rao): (a) There are in all 952 quarters, out of which more than 850 are already occupied. During the period June to August, 1966, only 42 complaints of leakage/seepage/dampness were received. On examination, it was found that most of the complaints pertained to dampness in verandah and bathroom roofs and outer walls near the junction of *chhajja*. No complaint of leakage/dampness in living room of any of the quarters was received. In case of dampness in bathroom roofs, it was generally due to overflow of overhead tanks which occurred due to mishandling of the ball valves by the tenents. In some cases, slopes of the terraces over bathrooms needed rectification, which has since been done. All complaints of leakage/dampness as referred to above have been since attended to.

(b) No. The quarters were examined in detail and no apparent defects were noticed before the same were passed. It may be added here that minor leakage defects as have occurred in the present case come to notice only during monsoons.

(c) The question does not arise.

(d) Bulbs for street lighting are to be provided by D.E.S.U./Delhi Municipal Corporation, with whom the matter is being pursued.

Telephone and Telegraph Facilities at Srikadapuram, Kerala

4262. **Shri A. K. Gopalan:**
Shri A. V. Raghavan:
Shri P. Kunhan:

Will the Minister of **Communications** be pleased to state:

(a) whether any representations have been received to provide telephone and telegraph facilities at Srikadapuram in the Cannanore district of Kerala; and

(b) if so, the decision taken in the matter?

The Minister of State in the Departments of Parliamentary Affairs and Communications (Shri Jaganatha Rao): (a) Yes; a representation dated 9-6-1966 from the Executive Officer, Chingalayi Panchayat has been received by the Postmaster General, Kerala and is under examination.

(b) No decision has been taken in the matter yet.

Land for Coffee House in Kerala

4263. **Shri A. K. Gopalan:**
Shri A. V. Raghavan:
Shri P. Kunhan:

Will the Minister of **Home Affairs** be pleased to state:

(a) whether the India Coffee Board Workers' Co-operative Society has made any request to the Kerala Government to assign five cents of land at the Cannanore police maidan to construct a coffee house; and

(b) if so, the decision taken in the matter?

The Minister of State in the Ministry of Home Affairs and Minister of Defence Supplies in the Ministry of Defence (Shri Hathi): (a) and (b). The information is being collected from the State Government and will be laid on the Table of the House in due course.

Retrenched Employees of Private Oil Companies in Cochin

4264. **Shri Maniyangadan:**
Shri A. K. Gopalan:
Shri A. V. Raghavan:
Shri P. Kunhan:

Will the Minister of **Petroleum and Chemicals** be pleased to state:

(a) whether he has addressed any communication to Hindustan Machine

Tools, Kalamasserry, to absorb employees retrenched from the private Oil Companies in Cochin; and

(b) if so, their reaction to the proposal?

The Minister of Petroleum and Chemicals (Shri Alagesan): (a) No.

(b) The question does not arise.

Alleged Beating by Police in Trichur

4265. Shri A. V. Raghavan:
Shri P. Kunhan:
Shri A. K. Gopalan:

Will the Minister of **Home Affairs** be pleased to state:

(a) whether the Malabar Special Police beat large number of people on the 31st July, 1966 at Trichur in Kerala before the Jos Talkies;

(b) if so, the number of persons injured; and

(c) action taken against them for beating people without any provocation?

The Deputy Minister in the Ministry of Home Affairs (Shri Vidya Charan Shukla): (a) No, Sir. However, a few policemen of the Malabar Special Police were beaten by some persons on 31st July, 1966, at Trichur near the Jose Talkies. Four Policemen were injured. The case is under investigation.

(b) and (c). Does not arise.

Death of a Person of Melur Village

4266. Shri A. V. Raghavan:
Shri P. Kunhan:
Shri A. K. Gopalan:

Will the Minister of **Home Affairs** be pleased to state:

(a) whether Quilandy police has registered any case regarding the death of one person of Melur village under suspicious circumstances;

(b) if so, whether the dead body was sent for post mortem examination;

(c) whether there were any injuries on the body;

(d) the present stage of the investigation; and

(e) whether any person has been arrested?

The Deputy Minister in the Ministry of Home Affairs (Shri Vidya Charan Shukla): (a) and (b). Yes, Sir.

(c) No, Sir.

(d) The case was closed as the investigation had disclosed that the death was due to accidental drowning.

(e) Does not arise.

Lock-outs and Strikes in Kerala

4267. Shri A. V. Raghavan:
Shri A. K. Gopalan:

Will the Minister of **Labour, Employment and Rehabilitation** be pleased to state:

(a) whether it is a fact that there has been large scale-lock-outs and strikes in Kerala since the taking over of the administration by the Centre;

(b) whether any assesment has been made regarding the reasons leading to these lock-outs and strikes; and if so, the result thereof; and

(c) if not, the reasons therefor?

The Minister of Labour, Employment and Rehabilitation (Shri Jagjivan Ram): (a) to (c). Information has been called for from the State Government. It will be placed on the table of the House when received.

High Officials in Kerala

4268. Shri A. V. Raghavan: Will the Minister of **Home Affairs** be pleased to state:

(a) whether senior posts in the Government of Kerala are held by persons from outside Kerala;

(b) whether a statement will be laid on the table showing the names of Advisors, Chief Secretary and Secretaries with reference to their respective states from where they come;

(c) whether steps will be taken to associate senior officers from Keraia to hold such posts; and

(d) the reasons for placing outside officers in Kerala?

The Minister of State in the Ministry of Home Affairs and Minister of Defence Suplies in the Ministry of Defence (Shri Hathi): (a) to (d). The requisite information is being obtained from the authorities concerned and it will be laid on the Table of the House as soon as received.

Discrimination in Allotment of Solvent Oil by Burmah Shell Oil Company, Delhi

4269. Shri M. Malaichami: Will the Minister of **Petroleum and Chemicals** be pleased to state:

(a) whether it is a fact that the Burmah Shell Oil Storage and Distribution Company in Delhi has recently allotted quota to small-scale rubber solution manufacturers, who are holding a storage licence of 60 gallons solvent oil;

(b) whether it is also a fact that there was discrimination in allotment of solvent oil, some of the manufacturers having been allotted meagre quantity of only 4 to 5 barrels per month and others as much as 36 barrels or more per month; and

(c) the action taken by Government for equitable distribution of solvent oil for the manufacture of rubber solution?

The Minister of Petroleum and Chemicals (Shri Alagesan): (a) Yes, Burmah-Shell has recently made distribution arrangements amongst consumers.

(b) No.

(c) Does not arise.

Telephone and Telegraph facilities at Edacherry, Kerala.

4270. Shri A. V. Raghavan:
Shri A. K. Gopalan:
Shri P. Kunhan:

Will the Minister of **Communications** be pleased pleased to state:

(a) whether there is any proposal to provide telephone and telegraph facilities at Edacherry in the Kozhikode District of Kerala; and

(b) if so, the decision taken in the matter?

The Minister of State in the Departments of Parliamentary Affairs and Communications (Shri Jaganatha Rao): (a) Edacherry in the Kozhikode District of Kerala is situated only 3 miles from Nadapuram where there is a Telegraph Office already working. No proposal is under consideration for providing telegraph facilities at Edacherry. As regards telephone facilities, a proposal to provide a long distance Public Call Office connected to Badagara Exchange is under examination. If this is justified and sanctioned, the same Public Call Office will provide facilities to pass telegraph messages from Edacherry.

(b) No decision has yet been taken in the matter as the case is still under examination.

निजी सचिवों तथा आशुलिपिकों को अतिरिक्त वेतन

4271. श्री विश्राम प्रसाद :
श्री हुकम चन्द कछवाय :
श्री रामसेवक यादव :
श्री यशपाल सिंह :

क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या समाचार पत्रों में प्रकाशित हुए समाचार की ओर उनका ध्यान दिलाया

गया है कि सरकार का विचार मंत्रियों तथा वरिष्ठ अधिकारियों के निजी सचिवों तथा आशुलिपिकों को अतिरिक्त वेतन देने का है ; और

(ख) यदि हां, तो ऐसा करने का क्या कारण है ?

गृह-कार्य मंत्रालय में उप-मंत्री (श्री विद्याचरण शुक्ल) : (क) और (ख). जी हां । मामला अभी तक विचाराधीन है ।

Scholarships to S. C. & S. T. for Training Abroad

4272. Shri P. Kunhan: Will the Minister of **Education** be pleased to state:

(a) the number of applications received from the Scheduled Castes and Scheduled Tribes for scholarships and training abroad during the Third Plan; and

(b) the number of persons selected and sent abroad?

The Deputy Minister in the Ministry of Education (Shrimati Soundaram Ramachandaran): (a) and (b). The number of applications received and the number of persons selected and sent abroad under the Government of India Overseas scholarships Scheme for Scheduled Castes, Scheduled Tribes and other categories students in each year of the Third Plan period is as follows:

Year	Number of applications received		Number of persons selected		Number of persons sent abroad	
	S.C.	S.T	S.C.	S.T.	S.C.	S.T.
1961-62	57	13	5	5	5	5
1962-63	72	25	5	5	3	2
1963-64	76	15	6	3	5	3
1964-65	55	10	7	4	5	4
1965-66	78	16	4	4	nil (as admissions have not yet been finalised)	nil

Non-Payment of Wages to Workmen of Balihari Colliery

4273. Shri Indrajit Gupta: Will the Minister of **Labour, Employment and Rehabilitation** be pleased to state:

(a) whether he is aware that the workmen of Balihari Colliery, P.O. Kusunda (Dhanbad), are starving due to prolonged non-payment to them by the management of their due wages and quarterly bonus for months together; and

(b) whether Government propose to take any action in the matter?

The Minister of Labour, Employment and Rehabilitation (Shri Jagjivan Ram): (a) Wages from April, 1966, bonus for the quarters ending December 31, 1965, March 31 and June, 30, 1966, and some other dues are yet to be paid by the management.

(b) Legal action is being taken against the management.

Border Security Measures

4274. Shri Bibhuti Mishra:
Shri K. N. Tiwary:

Will the Minister of **Home Affairs** be pleased to state:

(a) the steps taken so far to tighten the border security in North Western and North Eastern Sector touching Pakistan and Chinese borders with India;

(b) whether it is a fact that for want of sufficient number of persons in the Border Security Forces, security works suffer; and

(c) if so, the steps taken till the 26th of August; 1966 in this regard?

The Deputy Minister in the Ministry of Home Affairs (Shri Vidya Charan Shukla): (a) Various steps have been taken/initiated, including those borne out of our experience during the last Pakistani infiltration in Jammu and

Kashmir, regular armed attack in 1965 and the Chinese aggression of October, 1962. These are kept under constant review.

(b) and (c). Measures however are always under constant examination to eliminate any deficiencies in the arrangements for border security.

दिल्ली और पटना के बीच सीधी टेलीफोन लाइन

4275. श्री विभूति मिश्र :
श्री क० ना० तिवारी :

क्या संचार मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि पटना और दिल्ली के बीच सीधी टेलीफोन लाइन सामान्यतया खराब रहती है ; और

(ख) यदि हां, तो इस स्थिति को सुधारने के लिये क्या उपाय किये गये हैं ?

संसद-कार्य विभाग तथा संचार विभाग में राज्य मंत्री (श्री जगन्नाथ राव) : (क) दिल्ली से पटना के लिए सीधे ट्रंक परिपथ सन्तोषजनक कार्य कर रहे हैं। फिर भी पटना से दिल्ली के सीधे ट्रंक परिपथों में कभी-कभी गड़बड़ी हुई है ।

(ख) पटना से दिल्ली की सीधी लाइन के कार्य संचालन को प्रभावित करने वाली समस्याओं की ओर ध्यान देने के लिये विशेष अनुरक्षण कर्मचारियों को लगा दिया गया गया है ।

Grant to Mysore University

4276. Shri H. C. Linga Reddy: Will the Minister of **Education** be pleased to refer to the reply given to Starred Question No. 649 on the 24th August, 1966 and state:

(a) the total amount made available to the University of Mysore during the Third Plan period as well as the amounts allotted to the other Universities in the State of Mysore during the same period;

(b) the schemes on which the amounts are spent with the various stages of progress; and

(c) the reasons for the shortfall in expenditure?

The Minister of Education (Shri M. C. Chagla): (a) The following grants were released by the University Grants Commission to the Universities in Mysore State during the Third Five Year Plan:—

(i) Mysore University	1,21,90,223.01
(ii) Karnatak University	90,48,182.66
(iii) Bangalore University	5,02,133|57
(iv) University of Agricultural Sciences	2,500.00

(b) and (c). The required information is being collected and will be laid on the Table of the Sabha in due course.

Fertilizer Factories in Mysore State

4277. Shri H. C. Linga Reddy: Will the Minister of **Petroleum and Chemicals** be pleased to refer to the reply given to Unstarred Question No. 1956 on the 10th August, 1966 and state:

(a) the quantity of fertilizers produced in each of the factories every year during the last five years in Mysore State;

(b) the reasons for not producing according to the rated capacity;

(c) the total quantity of fertilizers required to meet the demands of the ryots every year in the State;

(d) how the shortfall is met; and

(e) the steps taken to make the State self-sufficient in fertilizers along with the reasons for the delay in bringing the Mangalore Fertilizer Fac-

tory into being, and when the same will be started?

The Minister of Petroleum and Chemicals (Shri O. V. Alagesan):

(a)

(In tonnes)

Name of the factory	1961	1962	1963	1964	1965
1. Mysore Chemicals Fertilizers, Belagula :					
(i) Ammonium Sulphate	3933	2386	2000	416	299
(ii) Superphosphate	8850	7862	7928	8232	17888
2. Chamundi Chemicals & Fertilizers, Mysore :					
(i) Superphosphate	—	—	1147	18105	18682

(b) Production below rated capacity was due to shortage of sulphur and the plants being old.

(c) and (d). The requirement and supply of fertilisers in the State during the year 1965-66 were as follows:—

	Estimated Demand	Actual Supply
Superphosphate	1,00,000	51,582
Ammonium Sulphate	85,000	74,449
Urea	30,000	21,849
Ammonium Sulphate Nitrate	15,000	2,890
Cal. Ammonium Nitrate	28.000	18,982
Nitrophosphate	48,000	1,000
Ammonium Phosphate	6,000	—

The above supplies have been made from indigenous production and imported fertilisers.

(e) By establishing additional fertilizer factory. The reason for delay in establishing a fertilizer factory at Mangalore is due to the fact that the party to whom a letter of intent was issued earlier did not make any progress. A letter of intent has now been issued to another party for establishing the project. It is expected to start production by January, 1970.

Industrial Complex at Barauni

4278. Shri Shree Narayan Das: Will the Minister of **Petroleum and Chemicals** be pleased to state:

(a) whether the question of setting up of an industrial complex at Barauni has been considered;

(b) if so, the nature of decision taken;

(c) whether any programme to implement the decision has been drawn up; and

(d) if so, the precise nature thereof?

The Minister of Petroleum and Chemicals (Shri Alagesan): (a) and (b). Government are considering the question of setting up a fertilizer unit and an aromatics plant around the refinery.

(c) and (d). It is proposed to set up the aromatics extraction plant during the Fourth Plan period.

Family Planning in Rehabilitation Colonies in Dandakaranya

4279. Shri Subodh Hansda:
Shri S. C. Samanta:

Will the Minister of **Labour, Employment and Rehabilitation** be pleased to state:

(a) whether there is any scheme for family planning in the Dandakaranya rehabilitation colonies;

(b) if so, when it was introduced;

(c) whether this scheme was given publicity; and

(d) how many have adopted the family planning devices in these colonies?

The Deputy Minister in the Ministry of Labour, Employment and Rehabilitation (Shri D. R. Chavan): (a) and (b). Yes. Schemes for family planning on the pattern prescribed by the Ministry of Health and Family Planning have been introduced in the Bastar and Koraput Districts by the respective State Governments. In addition, family planning facilities are available in the hospitals and dispensaries set up by the D.D.A.

(c) Yes. Publicity of family planning methods is being given as usual.

(d) 875 persons have adopted family planning methods as per details given below:—

Vasectomy operations—150

Ligation—49

I. U. C. D. Insertion—676

Pakistani incitement to anti-national elements

4280. Shri P. C. Borooah: Will the Minister of **Home Affairs** be pleased to state:

(a) whether Government's attention has been drawn to the reports that Pak-agents are trying to incite the Khasi and other Hill tribals in Assam to rise in rebellion with the active armed support of Pakistan on the pattern of the rebellions launched by Nagas and Mizos; and

(b) if so, the steps taken to prevent these activities?

The Minister of State in the Ministry of Home Affairs and Minister of Defence Supplies in the Ministry of Defence (Shri Hathi): (a) Yes, Sir.

(b) Possible security arrangements have been strengthened.

असिस्टेंटों के लिये सलेक्शन ग्रेड

4281. **श्री प्र० च० बरुआ :** क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार के विभिन्न मंत्रालयों तथा विभागों में वरिष्ठअसिस्टेंटों की कार्य-कुशलता को प्रोत्साहन देने के निमित्त संयुक्त सचिवों की समिति ने भारत सरकार के असिस्टेंटों की एक वरिष्ठ श्रेणी बनाये जाने के प्रश्न के बारे में अपना प्रतिवेदन प्रस्तुत कर दिया है और

(ख) यदि हां, तो इस समिति की सिफारिशें क्या हैं ? तथा सरकार ने उन के बारे में क्या निर्णय किया है ?

गृह-कार्य मंत्रालय में उप-मंत्री (श्री विद्याचरण शुक्ल) : (क) सम्भवत: असिस्टेंटों के लिए पदोन्नति के अवसरों में वृद्धि से उन के सिलेक्शन ग्रेड की स्थापना की मांग की ओर संकेत किया गया है । सहायकों की पदोन्नति के अवसरों का प्रश्न अन्य अनेक मामलों के साथ सम्मन्वय समिति के पास विचाराधीन है । समिति ने अभी तक अपनी सिफारिशें नहीं दी हैं।

(ख) प्रश्न ही नहीं उठता ।

Private Oil Companies

4282. Shri A. K. Gopalan:
Shri Umanath:
Shri P. Kunhan:

Will the Minister of **Petroleum and Chemicals** be pleased to state:

(a) the total number of depots of private oil companies taken over by the Indian Oil Company during 1965 and 1966 so far;

(b) the total number of workers re-employed from among the ex-workers of the taken over depots;

(c) the number of workers not taken from among the ex-workers of the taken over depots;

(d) the reasons for not re-employing them;

(e) the number of fresh workers recruited and posted on these taken-over depots; and

(f) whether the Indian Oil Corporation is considering any proposal to take over all the ex-workers on such depots?

The Minister of Petroleum and Chemicals (Shri Alagesan): The required information is being collected and wil be laid on the Table of the House.

Foreign Oil Companies' Installations at Ernakulam

4283. Shri A. K. Gopalan:
Shri Umanath:
Shri P. Kunhan:

Will the Minister of **Petroleum and Chemicals** be pleased to state:

(a) whether it is a fact that foreign oil companies have threatened to close down their installations at Ernakulam;

(b) if so, the reasons therefor;

(c) the number of workers to be affected as a result thereof;

(d) whether Government have received any representations from the workers' organisations in this regard;

(e) if so, the details thereof; and

(f) the action taken by Government in the matter?

The Minister of Petroleum and Chemicals (Shri Alagesan): (a) and (b). Rail as well as road loading facilities have been developed at the Cochin Refinery for the movement of its products from one central point in the Refinery yard. Installations of the foreign oil companies at Ernakulam will, therefore, become largely redundant.

(c) 521 men.

(d) and (e). The Petroleum Workers Union, Ernakulam has suggested that the Cochin Refinery products should continue to be loaded from the Main Installations of Private Oil Companies.

(f) If the suggestion of the Petroleum Workers Union is accepted, the facilities developed by Cochin Refinery Limited, including tankage and the rail yard at the Refinery siding, will become redundant. The Government have, however, taken the following action to mitigate, as far as possible, suffering to staff of the Private Oil Companies, likely to be rendered surplus:—

(i) Staff being taken over by IOC (Marketing Division)	42
(ii) Staff employed by the Cochin Regnery Limited	8
(iii) Staff to be retained by M/s. Burmah Shell and Esso in their Tin Plants, for which necessary arrangements have been made	152
(iv) Staff likely to be absorbed by the IOC (Marketing Division) when its Drum Plant is commissioned towards January, 1967	40
	242

For the remaining 279 men, following steps have been taken:—

(i) The Private Oil Companies have been requested to obtain options from these 279 men and to transfer those who are agreeable to serve under them in other regions/areas.

(ii) Those who are agreeable to a transfer but cannot immediately be absorbed by the Private Oil Companies will, as far as possible, be absorbed by the I.O.C. (Marketing Division) in other regions/areas.

The Government of Kerala and the Ministry of Labour, Employment and Rehabilitation have been requested to lend their assistance in finding alternative employment for the staff who cannot be absorbed by any of the process indicated above.

Ban on New Posts

4284. **Shri A. K. Gopalan:**
Shri A. V. Raghavan:
Shri P. Kunhan:
Shri Maniyangadan:

Will the Minister of **Home Affairs** be pleased to state:

(a) whether Government of Kerala have imposed a ban on the creation of new posts;

(b) if so, whether this factor was considered when raising the retirement age of all Government servants; and

(c) the plans Government have to tackle the problem of unemployment in Kerala?

The Minister of State in the Ministry of Home Affairs and Minister of Defence Suplies in the Ministry of Defence (Shri Hathi): (a) to (c). The requisite information is being obtained from the authorities concerned and it will be laid on the Table of the House when received.

Kerala Plantation Workers' Strike

4285. **Shri P. Kunhan:**
Shri Imbichibava:
Shri A. K. Gopalan:
Shri M. N. Swamy:

Will the Minister of **Labour, Employment and Rehabilitation** be pleased to state:

(a) whether the INTUC has joined the strike of Kerala plantation workers from the 19th August, 1966;

(b) the total number of workers now on strike;

(c) the total number of man-days lost since the beginning of the strike; and

(d) the value of the production lost so far as a result of this strike?

The Minister of Labour, Employment and Rehabilitation (Shri Jagjivan Ram): (a) Unions affiliated to the INTUC are said to have joined the strike on the 17th August, 1966.

(b) Approximately ten thousand.

(c) Estimated as Five lakhs and Twenty thousand.

(d) This is difficult to estimate.

Indian Labour Conference

4286. **Shri Umanath:**
Shri A. K. Gopalan:

Will the Minister of **Labour, Employment and Rehabilitation** be pleased to state:

(a) whether Government have received any communication from the INTUC disputing the official version of the decisions of the 24th Session of the Indian Labour Conference;

(b) if so, the main points of dispute raised in the communication; and

(c) Government's reaction thereto?

The Minister of Labour, Employment and Rehabilitation (Shri Jagjivan Ram): (a) Yes.

(b) The communication refers to the omission from the statement of conclusions of certain observations made by the AITUC representatives at the Conference in respect of—

(i) the Industrial Truce Resolution;

(ii) the Code of Discipline; and

(iii) Automation.

(c) The reasons for not including them in the statement of conclusions have been communicated to the AITUC.

Joint Consultative Machinery

4287. **Shri S. M. Banerjee:** Will the Minister of **Home Affairs** be pleased to state:

(a) whether a decision has been taken by Government to inaugurate the Joint Consultative Machinery for

the Central Government Employees during September, 1966;

(b) if so, whether all the Federations and Unions are co-operating with this scheme;

(c) if not, the names of those who are not co-operating; and

(d) the reasons for their non-cooperation and the steps taken to meet these points?

The Minister of State in the Ministry of Home Affairs and Minister of Defence Supplies in the Ministry of Defence (Shri Hathi): A statement is laid on the Table of the House [*Placed in Library. See* No. LT-7043/66].

Hindi Training College, Trivandrum

4288. Shri Vasudevan Nair:
Shri Warior:

Will the Minister of **Education** be pleased to state:

(a) whether the proposal to start a Hindi Training College at Trivandrum was turned down by the Kerala Government;

(b) if so, the reasons therefor;

(c) whether the Government have received any representation that Hindi Training College is essential;

(d) if so, whether the proposal will be again placed before the Kerala Government.

The Deputy Minister in the Ministry of Education (Shri Bhakt Darshan): (a) to (d). It is not a fact that the proposal for starting a Hindi Teachers Training College at Trivandrum was turned down by the Kerala Government. On the contrary, our administrative approval was accorded in June, 1966, and, since then, the Kerala Government are taking all preliminary steps, so that the College starts functioning soon.

Cochin Refinery

4289. Shri Vasudevan Nair:
Shri Warior:

Will the Minister of **Petroleum and Chemicals** be pleased to state:

(a) whether any firm date was fixed for the opening of the Cochin Oil Refinery;

(b) whether the date of 15th August had to be changed due to an explosion of a boiler; and

(c) if so, the loss due to the explosion?

The Minister of Petroleum and Chemicals (Shri Alagesan): (a) No, the refinery is to be formally inaugurated on 23-9-1966.

(b) No.

(c) Does not arise.

Eviction of Cultivators in Kerala

4290. Shri Vasudevan Nair:
Shri Warior:

Will the Minister of **Home Affairs** be pleased to state:

(a) whether the Kerala Government are taking active steps to evict nearly 200 cultivators at Pampadumpara, in Udumpumchola Taluk in the name of the Cardamom Research Station in spite of the decisions by the last Kerala Consultative Committee that eviction from forest lands should be stayed till the Sub-Committee's report is finalised;

(b) whether Government have received representations against this proposed eviction; and

(c) if so, the action taken thereon?

The Minister of State in the Ministry of Home Affairs and Minister of Defence Supplies in the Ministry of Defence (Shri Hathi): (a) No, Sir.

Orders were issued to evict one encroacher occupying unauthorisedly some land in one of the few pocket occupations within the area of the research Station.

(b) Yes, Sir. This one encroacher has been trying to create the impression of a serious public agitation by means of memoranda, leaflets and notices etc. in an effort to have the proceedings against him stayed.

(c) None, as it is considered essential to vacate such pocket occupations.

Vice-Chancellor of Kerala University

4291. **Shri Vasudevan Nair:**
Shri Warior:

Wil the Minister of **Education** be pleased to state:

(a) whether the present Vice-Chancellor of the Kerala University is to retire within a few months; and

(b) if so, the steps taken to expedite the procedure for the selection of the new Vice-Chancellor?

The Minister of Education (Shri M. C. Chagla): (a) and (b). In pursuance of the resolution passed by the Lok Sabha at its sitting held on the 12th April, 1966, and concurred in by the Rajya Sabha on the 12th May, 1966, the Kerala University (Amendment) Act, 1966, is being amended so as to provide that the present incumbent of the office of the Vice-Chancellor of Kerala University, who was reappointed to his post for a period of three years with effect from January 29, 1966, will continue only for a period of one year from the date of appointment. Action for the selection of the new Vice-Chancellor will be taken after the necessary legislation has been enacted.

Revision of Pay Scales in Kerala

4292. **Shri Warior:**
Shri Vasudevan Nair:

Will the Minister of **Home Affairs** be pleased to state:

(a) whether the Kerala Government have recently announced revised Pay scales for the last grade Government employees;

(b) whether it is a fact that this new Pay scales do not give any substantial relief to the employees; and

(c) whether the employees have started an agitation for immediate substantial relief?

The Minister of State in the Ministry of Home Affairs and Minister of Defence Supplies in the Ministry of Defence (Shri Hathi): (a) Yes, Sir.

(b) and (c). Government have no information so far, besides some press reports, of any plans for a further agitation by the last grade employees.

Arrests in Kerala for Black Marketing and Profiteering in Food-Grains

4293. **Shri Warior:**
Shri Vasudevan Nair:

Will the Minister of **Home Affairs** be pleased to state:

(a) whether many people had been arrested and searches were conducted in Kerala State recently in an effort to put down black-marketing and profiteering in foodgrains;

(b) if so, the number of people arrested in August, 1966; and

(c) the impact of this campaign on the availability and prices of rice in the open market?

The Minister of State in the Ministry of Home Affairs and Minister of Defence Supplies in the Ministry of Defence (Shri Hathi): (a) to (c). The information is being collected from the State Government and will be laid on the Table of the House in due course.

Ancient Monuments and Archaeological Exploration in Mysore

4294. Shri H. C. Linga Reddy: Will the Minister of **Education** be pleased to state:

(a) the amount allotted for the maintenance of ancient monuments and for archaeological exploration in Mysore State under the Third Five Year Plan;

(b) the schemes in which the amounts were spent with the stages of progress;

(c) the amount spent during the Third Plan period on "Tippu-Sultan Palace" at Bangalore and the "Dariya Daulat" at Surangapatam near Mysore; and

(d) the tentative schemes of protection of ancient monuments and archaeological sites in the State of Mysore in the Fourth Plan period?

The Deputy Minister in the Ministry of Education (Shri Bhakt Darshan): (a) Maintenance of ancient monument was not included in the Third Five Year Plan.

No specific amount was allotted under the Third Plan for archaeological excavations in Mysore State. A scheme of village to village survey of antiquarian remains was in the Plan, but the amounts were allotted Circle-wise and not State-wise. Mysore was covered partly by the South-Western Circle and partly the Southern Circle of Archaeological Survey of India and hence the amounts spent or to be spent in that State-alone could not be separated from the Circle figures.

(b) Village to village survey of antiquarian remains. The progress of this scheme for Mysore State is given below:—

Year	*No of villages surveyed*
1st Year	247
2nd Year	263
3rd Year	202
4th Year	133
5th Year	128

(c) Culling out these figures will involve labour and time which may not be commensurate with the results.

(d) There is no such scheme under the Fourth Five Year Plan.

Gorakhpur University

4295. Shri Rajdeo Singh: Will the Minister of **Education** be pleased to state:

(a) whether he is aware that there are restrictions for opening of Post Graduate Classes in the Degree Colleges of fourteen Eastern Districts in the jurisdiction of Gorakhpur University in U.P.;

(b) if so, whether Government propose to remove these restrictions; and

(c) if not, the reasons therefor?

The Minister of Education (Shri M. C. Chagla): (a) Yes.

(a) and (c). The matter falls under the purview of the State Government of U.P. and is under their consideration.

Correction of answer to Unstarred Question No. 300 dated 27-7-66 regarding Birth Centenary Celebration of Mahatma Gandhi.

शिक्षा मंत्रालय में उपमंत्री (श्री भक्त दर्शन) : 27-7-1966 को अतारांकित प्रश्न संख्या 300 के भाग (ख) के उत्तर में मैं ने जो उत्तर दिया था, वह था "जी हां"। यह इस आधार पर था कि प्रश्न में 'राज्य सरकारों जनता से भी" धन प्राप्त होने का उल्लेख था। यदि प्रश्न में केवल "राज्य सरकारों" का ही उल्लेख होता, तो उत्तर नाकारात्मक होता। समिति द्वारा राज्य सरकारों से अपनी ओर से कोई धन देने के लिए नहीं कहा गया था और न ही वह उसे

प्राप्त हुआ था । यह स्पष्टीकरण अब इस लिए दिया जा रहा है कि ताकि ऐसी किसी संभव गलतफहमी से बचा जा सके कि समिति को राज्य सरकारों से कोई अनुदान प्राप्त हुआ था ।

12.30 hrs.

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE

REPORTED STATEMENT BY THE CHAIRMAN AND MANAGING DIRECTOR OF THE FERTILIZER CORPORATION AT THE PRESS CONFERENCE

Shri P. Venkatasubbaiah: (Adoni): I call the attention of the Minister of Petroleum and Chemicals to the following matter of urgent public importance and I request that he may make a statement thereon:

"The reported statement by the Chairman and Managing Director of the Fertilizer Corporation at the Press Conference that Fertilizer Corporation of India is capable of setting up two fertilizer plants a year."

The Minister of Petroleum and Chemicals (Shri Alagesan): Lately, reports have appeared in the Press that though the Fertilizer Corporation of India are now well equipped for design, engineering, procurement and installation of two fertilizer plants a year, Government are not utilising their services to the fullest extent. I would like to remove any misunderstanding that might have been caused in this regard.

The Planning and Development Division of F.C.I., since its formation in 1962, has been doing very good work. It was called upon to foster fundamental and applied research in fertilizer technology, develop indigenous know-how of various processes and to create an agency for design, engineering and installation of fertilizer plants. It has been carrying out the above tasks quite satisfactorily. The 300 tonnes/day ammonium sulphate plant at Namrup, the off-site facilities at Gorakhpur, the additional gas generators and the naphtha gasification plant both at Sindri, have all been designed and engineered completely by the P&D Division of F.C.I. In the field of process know-how and development also, the P&D Division has made a significant contribution in the development of catalysts as well as of certain processes.

Thus, the P&D Division has untill now been engaged in designing and engineering parts of fertilizer plants. It was only in March 1966 that Government decided to go ahead with the Durgapur and Cochin fertilizer projects, finding the foreign exchange from their own resources for the two projects. Government also decided to entrust full responsibility for the design, engineering and construction of these two projects to the P&D Division of F.C.I. and to the Engineering and Design Organisation of the Fertilizers and Chemicals Travancore Ltd. This latter organisation has also been engaged in carrying out its expansion activities over the past several years utilizing design and engineering to the maximum extent possible within the country. Besides, it has also been responsible for the development of the process know-how for the manufacture of ammonium sulphate from by-product gypsum. This assignment of building the Durgapur and Cochin projects was both a challenge and opportunity to these two technical organizations and they welcomed it.

As the two organisations did not possess the process know-how for urea synthesis and ammonia synthesis Government sanctioned the purchase of these know-hows by F.C.I. from M/s. Montecatini of Italy. Similarly, Government sanctioned the purchase of process know-how for synthesis gas plant etc. by F.A.C.T. from M|s. Power Gas Corporation of U.K.

To facilitate matters, the two projects were made identical in respect of their size and end products, and an agreement was reached between F.C.I. and F.A.C.T. as to the part of total work each would be responsible for. I am glad to say that they have made good progress in the discharge of their responsibilities. On 31.8.1966 F.C.I. and F.A.C.T. have signed agreements with M/s. Montecatini and M/s. Ansaldo of Italy for supply of ammonia and urea plants for the two projects. Orders will be placed on indigenous manufacturers also for that part of the equipment to be fabricated in India in the course of the next few months.

It is expected that by the first quarter of 1967, the work of process design and engineering will be over. It will take another year or so for the equipment to arrive at site. After the arrival of equipment at site, it will take another year for the erection to be completed. According to this time schedule, the plants will be commissioned in April, 1969.

The question is to feed the F.C.I. and F.A.C.T. with work on a continuing basis. Since the process design and engineering sections of these two organisations will be comparatively free from the first quarter of 1967, my Ministry has proposed that two more fertilizer projects should be taken up on hand in the public sector, to be financed either on the basis of suppliers' credit, if available, or free foreign exchange, if necessary. These two projects can be entrusted to F.C.I. and F.A.C.T. for implementation.

It is Government's policy to fully utilize the capabilities of the two technical organizations that are part of F.C.I. and F.A.C.T. in putting up fertilizer plants based on modern technology and to make use of indigenous fabrication facilities to the maximum extent. I am convinced that if the ambitious targets set in the Fourth Plan for establishing fertilizer capacity and production are to be achieved, the public sector has to play a major and a more positive role than has been envisaged so far. I hope the necessary resources will be found for such a self-reliant effort.

Shri P. Venkatasubbaiah: I am glad that the hon. Minister has removed the misapprehensions that have been created by the wrong report about the press conference that had been held. In this connection, I would like to know whether the necessary foreign exchange has been made available to this Ministry to go ahead with the fabrication and manufacture of the fertiliser plants in the country so that they may be able to reach the Fourth Plan target, and in addition, may I know whether they are going in for the setting up of the turn-key jobs with foreign collaboration?

Shri Alagesan: The foreign exchange cost of these two projects is being financed in two ways: We get supply of credit from Italy for 30 million dollars, and another Rs. 10 crores will have to be provided from free foreign exchange. As far as the suppliers' credit goes, we have made agreements with the Italian companies. The amount of Rs. 10 crores of free foreign exchange will be drawn as and when necessary. We have initially made a request for a sum of Rs. 40 lakhs for purchasing stainless steel which will be used by the indigenous fabricators for fabricating equipment that will be ordered.

Shri Kappen (Muvattupuzha): If the managing director has not made this statement actually, may I know why no denial was issued to the press?

Shri Alagesan: I am sorry; there was an occasion here some time ago when while answering a question I had made the position very, very clear. Of course, we did not issue any contradiction of the report that appeared in the press directly. I hope that the statement which I have just now made will provide the real

[Shri Alagesan]

facts of the situation. In the answer which I had given here I had said that the reports that had appeared in the press were not correct and that the chairman and managing director had not been reported properly in the press. I have already said that on the floor of the House.

Shri K. C. Pant (Naini Tal): In the last paragraph of the statement, the hon. Minister has said:

> "I am convinced that if the ambitious targets set in the Fourth Plan for establishing fertilizer capacity and production are to be achieved, the public sector has to play a major and a more positive role than has been envisaged so far.".

Where are the restrictions?

Shri Alagesan: I should like to answer this question. By the end of the Third Plan, we have established a capacity of 600,000 tonnes. The target fixed for capacity by the end of the Fourth Plan is 2.4 million tonnes. That is, we shall have to establish an additional capacity of 1.8 million tonnes. This is divided roughly half and half between the public sector and the private sector. That is to say, 900,000 tonnes capacity will have to be established in the public sector and the balance of 900,000 tonnes will have to be established in the private sector. As far as I am able to assess, the private sector may not be able to fulfil the task assigned to them. Taking in view the large amount of delays that occur in negotiations etc. between private parties and Government—and these delays occur even when the prorosition is to put up a plant in the private sector and not a proposition of collaboration between private parties and Government; purely private sector propositions also take a lot of time in negotiations, settling of matters etc.—I believe that the private sector at the most can put up a capacity of only 300,000 tonnes. So, a balance of 600,000 tonnes remains, which my be taken care of by about three or four plants in the public sector.

So, in addition to the responsibilities which the public sector has already undertaken, it may have to undertake a further responsibility of putting up a capacity of about 600,000 tonnes which the private sector may not be able to fulfil.

During the Third Plan, we relied largely on the private sector performance and our achievements were woefully behind the expectations and behind the targets set forth in the Plan document. If such an experience is not to be repeated, I think that in time we should take steps to correct the imbalances.

Shri Ranga (Chittoor): It is a confession of failure by Government.

Shri Bhagwat Jha Azad (Bhagalpur): It is very good. Let him go ahead.

श्री विश्वनाथ पाण्डेय (सलेमपुर): उपाध्यक्ष महोदय, मंत्री महोदय ने जो विवरण अभी सदन के सामने पढ़ा है उस में उन्होंने कहा है कि :

> "The 300 tonnes/day ammonium sulphate plant at Namrup, the off-site facilities at Gorakhpur...."

तो मैं यह जानना चाहता हूं कि गोरखपुर में उर्वरक कारखाने की जो प्रगति है वह बहुत धीमी है, उस का कारण क्या है, और यह भी कि गोरखपुर उर्वरक कारखाने में उत्पादन कब से आरम्भ होगा ?

Shri Alagesan: This is a question relating to the progress of construction of the Gorakhpur factory. A few days ago the General Manager of the factory met me. There was some delay. I think the delay was about two months. There was some strike by contract labour in the mechanical erection section, that led to some delay, but still he is hopeful that more or less by the time that has been indicated, namely by about the middle

of next year, he will be able to commission the plant.

Shrimati Akkamma Devi (Nilgiris): Keeping in view the delay experienced at various stages for want of foreign exchange and also keeping in view the importance of fertilisers in increasing agricultural production, may I know whether Government will give top priority to the fertiliser projects at Durgapur and Cochin by giving not only the necessary exchange but also in time, so that these two plants at Durgapur and Cochin will be commissioned well before the time fixed for them?

Shri Alagesan: I am glad for the support the hon. Member gives, and also the House generally gives, for timely getting of foreign exchange etc.

Shri Bhagwat Jha Azad: We are all for help.

Shri Alagesan: The question is: in a period of about 36 months, three years, we propose to put up these plants. If we take the period of construction of the earlier plants, you will find that they have taken six, seven, even eight years. So, we have reduced the period by more than half, and I hope we will be able to do it in time.

Shri P. C. Borooah (Sibsagar): Fertiliser production has been given topmost priority in the fourth plan. It is said that fertiliser can be produced very quickly by adoption of the turnkey system. May know what is the approach of the Government to this turnkey system, and whether according to this turnkey system we are going to have production of fertilisers in this country?

Shri Alagesan: There is a general feeling that once you give a job on a turnkey basis it is done in a much lesser time than if you yourself start doing it, but my experience does not prove this sort of general belief. We entrusted the Cochin refinery project on a turnkey basis. We were told that it would be constructed within a period of 30 months. Now it is going to take us another year. There may be some justification for a delay of six months because there was some delay in placing the site at their disposal, but for the other six months certainly there is no justificaion in my view. So; it is wrong to believe—I have got other instances also—that once you give a project on a turnkey basis it is going to be done in much lesser time than otherwise. It is not borne out by our own actual experience.

Shri M. R. Krishna (Peddapalli): The Minister said that in the public sector the full capacity of fertiliser has not been produced. If it is so, I would like to know what are the reasons for not producing the full capacity in the public sector. Secondly, I would like to know the programme of production and fabrication of these machineries which have been chalked out by the organisation created in 1962, whether the programme of production and fabrication has been allowed to be carried out in full by giving all the foreign exchange and other assistance, or whether any reduction in that programme has been made.

Shri Alagesan: I did not say that the public sector projects are not producing to capacity. For instance, in Sindri we are producing a little below the regular capacity, but we are taking certain steps so that we may reach full capacity. For instance, Nangal is producing full capacity, in Trombay urea production is up to full capacity, but there is some difficulty in nitrophosphate production. The hon. Member wanted to know whether the two organisations have been provided with the foreign exchange necessary for going ahead. Yes, Sir, I hope we will be able to provide them with the necessary foreign exchange and that too in time.

श्री द्वारका दास मंत्री (भीर) : देश में खाद की समस्या और उस की मांग बराबर बढ़ती जा रही है, यह देखते हुए क्या सरकार ने इसका अन्दाज लगाया है

[श्री द्वारका दास मंत्री]

कि देश में खाद की आवश्यता कितनी है और चतुर्थ पंच वर्षीय योजना को सामने रखते हुए वह कितने प्रतिशत खाद लोगों को सप्लाई करने वाले हैं ?

Shri Alagesan: The fourth plan targets are that capacity established is 2.4 million tons and production 2 million tons. If there is any shortfall, naturally the gap has to be filled by imports. Just now by our internal production we are not able to meet even half the demand. The balance has to be met by imports and that too by very costly imports.

Shri Hem Barua (Gauhati): In paragraph 3 of the statement, the hon Minister says:

> "It was only in March, 1966 that Government decided to go ahead with the Durgapur and Cochin fertiliser projects finding the foreign exchange from their own resources for the two projects."

It is a very welcome thing. In this connection, may I know if it is a fact that the Union Finance Minister or the Ministry is not making available foreign exchange to the Ministry concerned to the extent needed for marking the projects in the public sector workable, and that is why the work in Cochin and Durgapur is being held back. Let us be very frank.

Shri Bhagwat Jha Azad: For the future projects also they are not giving.

Shri Alagesan: Without making a complaint against a sister Ministry. I would like to say we would be really happy if timely availability of foreign exchange is made so that we can go ahead with the project and complete it on schedule. There has been some delay, but we are taking it up and I hope it will be solved.

12.57 hrs.

RE. IDDIKKI PROJECT

Shri Vasudevan Nair (Ambalapuzha): Please allow me to make a submission.

श्री मधु लिमये (मुंगेर) : उपाध्यक्ष महोदय, मेरा विशेषाधिकार का प्रस्ताव है, प्रिविलेज मोशन है ...

Shri Vasudevan Nair: This is the last day of the session, and I am sorry to say that an issue which many of us wanted to raise in this House on the question of the decision of the Government to put off the biggest hydroelectric project in my State, and my State happens to be under President's rule, the Idikki project, a Rs. 60 crore project, over which nearly a few crores have been spent by Government....

Mr. Deputy-Speaker: That has been disallowed.

Shri Vasudevan Nair: Many of us were giving short notice questions, they have been rejected, calling attention notices so many, have been rejected.

Mr. Deputy-Speaker: You cannot go on like this.

Shri Vasudevan Nair: I request you. This is the last day, I am trying to convince you. By the time we come next time, a definite decision may be taken on the fate of all these big projects.

Mr. Deputy-Speaker: You want the Government to make a statement .

Shri Vasudevan Nair: Is the Government prepared to make a statement.

श्री मधु लिमये : अध्यक्ष महोदय, विशेषाधिकार का प्रस्ताव है, मेरा प्रिविलेज मोशन है ....

12.58 hrs.

RE: QUESTIONS OF PRIVILEGE

Shri Hem Barua (Gauhati): There is a very relevant fact that concerns vitally the supremacy and the sovereignty of this Parliament, including you. May I submit this is a very important matter. I will finish in a minute.

Mr. Deputy-Speaker: I cannot allow it without notice. I am sorry, please sit down.

Shri Hem Barua: The Pakistan High Commissioner in Delhi in his *aide memoir* has questioned the authority of this Parliament.

Mr. Deputy-Speaker: I have disallowed it.

Shri Hem Barua: I know, but may I submit. . .

Mr. Deputy-Speaker: No more submissions.

Shri Hem Barua: He is questioning the authority of Parliament.

Mr. Deputy-Speaker: That has not been permitted.

Shri Hem Barua: Why are you allowing any foreigner in our country to question the authority of this Parliament? It is no use your becoming the Deputy-Speaker or my becoming a Member of Parliament. Here is a foreigner, the High Commissioner of Pakistan in Delhi, who, in an *aide memoir* submitted to the Government of India has questioned the introduction of a Bill by a private Member last month in this Parliament, in the Lok Sabha.

Mr. Deputy-Speaker: We cannot take action for breach of privilege against a foreign ambassador.

13 hrs.

Shri Hem Barua: The Pakistan High Commissioner may enjoy certain diplomatic privileges but the fact remains that this House is supreme . . . (*Interruptions*).

Mr. Deputy-Speaker: Order, order. We cannot go on like that.

Shri Hem Barua: No, Sir; it is a matter of privilege which concerns me as much as it concerns Joachim Alva; it concerns you also. I want the Government to do one thing: to declare the High Commissioner of Pakistan in Delhi *persona non grata* and ask the Pakistani Government to withdraw him . . . (*Interruptions.*)

Shri D. C. Sharma (Gurdaspur): I support him.

Mr. Deputy-Speaker: All the Members cannot go on like this. It has been disallowed. There cannot be a privilege motion against an ambassador.

Shri Hem Barua: He may be a foreign ambassador but he has abused the diplomatic privilege.

Mr. Deputy-Speaker: It is for the External Affairs Ministry to take up that matter.

Shri Vasudevan Nair (Ambalapuzha): May I get an assurance from the Leader of the House that we will get the statement on the Idiki Hydro eletric project?

Mr. Deputy-Speaker: I cannot say. If the Minister is prepared to make a statement, we will have it. Is the Minister prepared to make a statement? I find he is not here. They may send word to him and if he is prepared, he may make a statement.

श्री मधु लिमये (मुंगेर) : उपाध्यक्ष महोदय, मेरा प्रिवलेज मोशन है . . .

श्री यशपाल सिंह (कैराना) : मुझे भी एक बात कहनी है, एक तरफ़ तो हमारे आवास मंत्री विश्वास दिला रहे हैं कि किसी को बेघर नहीं किया जायगा, दूसरी तरफ़ आज हमारी दिल्ली में 6–7 लाख नागरिक ऐसे हैं, जिनको अन-एथ्रूड कहा जाता है। उन के साथ इन्साफ़ किया जाना चाहिये।

[श्री यशपाल सिंह]

मैं चाहता हूं कि वह आज शाम कोउन के बारे में बयान दें । वह इस बात को बतलायें कि वह कब बयान देंगे ।

Mr. Deputy-Speaker: You cannot raise these questions without giving notice to me. Mr. Yashpal Singh, please sit down. If every one of the 530 Members begins to speak like this, how am I to carry on?

श्री यशपाल सिंह : मैं चाहता हूं कि वह आज शाम को बयान दें ।

Shri Surendranath Dwivedy Mr. Yashpal Singh to sit down. You are defying the Chair.

Shri Surendranath Dwivedy (Kendrapara): I would seek a clarification of what you said, Sir. It is all right and I agree with you that it is not possible for this House to have a privilege motion against a foreign ambassador. Am I to understand from what you said that the EA Ministry is going to take action? It is a very serious matter.

Mr. Deputy-Speaker: We have referred it to them. Now, there are several privilege motions.

श्री बागड़ी (हिसार) : उपाध्यक्ष महोदय, मैं सिर्फ एक बात कहना चाहता हूं ।

Shri Ranga (Chittoor): You must hear us, Sir.

Mr. Deputy-Speaker: I am not hearing anybody now. We know all the facts; yesterday we discussed this for one hour. . . (*Interruptions.*)

श्री मधु लिमये : आप सुनिये, यह बडा गम्भीर मामला है ! मैं ने अफसर का नाम तक दे दिया है । क्या आपने मेरा खत पढ़ा था ?

Mr. Deputy-Speaker: I am giving my ruling now.

Shri Ranga: You cannot give your ruling without first hearing what we have to say.

Shri S. M. Banerjee (Kanpur): known to the House.

Shri S. M. Banerjee: (Kanpur): Facts are not known. . . (*Interruptions.*)

Shri H. N. Mukerjee (Calcutta Central): Yesterday, you told us in so many words that we who wanted to can bring in a specific motion of privilege in pursuance of your specific instructions. We sent in notices of privilege motions and you may take them up in whichever order you decide. Anyhow, the privilege motion has got to be placed before the House because I take it that when you gave a direction as you did yesterday that it was in order to have a privilege motion brought up whatever fate was going to overtake it, we are entitled to place before the House what we want. Whoever among us is called upon, let us place it.

Mr. Deputy-Speaker: I will read the motions.

श्री मधु लिमये : सबसे पहले मैंने दिया है, मुझको अपना नोटिस पढ़ने दीजिये । कल आपने कहा था कि नोटिस दीजिये, मैंने तुरन्त लिखकर नोटिस दिया है ।

Shri Ranga: You may read them but then you will have to give us an opportunity to state before the House as to why these motions should be allowed. Unless you give us an opportunity of stating why we have thought it fit to move the privilege motion and why we think you ought to be good enough to permit us to move, you cannot very well give a ruling.

Mr. Deputy-Speaker: All the facts are before the House.

Shri Ranga: You think in your judgment that the facts are before the House. A few of us have got to present before the House what the facts are. Some other facts also may be there in our possession and we have to state all we have and take the House into confidence and then alone it would be possible for you to give judgment. How on earth can you give your judgment in a vacuum?

श्री मधु लिमये : बाद में रुलिंग दीजिये पहले उठाने के लिये एलाऊ कीजिये ।

Mr. Deputy-Speaker: I will give two or three minutes each.

श्री बागड़ी : श्री मधु लिमये जी का पहला है, उनको पहले समय दीजिये ।

Shri Ranga: It is the business of the Leader of the House, of the Government to think what time is to be given to the House. The most important thing is that a privilege motion has got to take precedence over others. Nothing is more important and more urgent than the security of the country and everything depends on how the Government tackles this question of the security of the country. If the Government fails in this because of espionage activities, if spies, traitors and other such people are allowed to go abroad and carry on their functions from the highest possible places in some of the most strategic centres like the Congress, not only the Congress but the political party's headquarters and especially the ruling party, the Congress, then it becomes a matter of privilege and the most primary importance to the very safety of this nation. What has happened? Why did I move this? It is for this reason. My hon. friend the Home Minister said that he was misled by an officer. Who was that officer? If he had been a central officer of the CBI, the Minister would not have sought to take umbrage behind him because he himself would be directly responsible and we would have been entitled to raise questions of privilege or to demand his resignation. But here it is not claimed that he is directly under the Union Government. On the other hand, he is deputed by the other Government, the West Bengal Government. Who is the Minister then who is directly resposible for the conduct of that particular officer? The Home Minister; the other man is the Chief Minister. Therefore, I want the House to give permission to raise this motion of privilege against the Home Minister of West Bengal. Some of my colleagues would be raising this question of privilege aginst some other officers. I am raising this question against the Home Minister. What is the position? When the Chinese invaded this country and humbled our armies and humiliated our country . . .

Mr. Deputy-Speaker: It is all extraneous.

Shri Ranga: It was said that there might be too many spies and too many traitors and therefore, there was need for special legislation and my hon. friend thought of the DIR at that time. Afterwards he wanted to inroduce another piece of legislation and fortunately or unfortunately he has not been able to introduce that legislation here. That Bill is there before the country and before us all. He wanted us to give him special powers in order to deal with these traitors and those who indulged in espionage. But what happened? He wanted us to believe that there were too many of them, but the funniest thing is that we were asked to think of those people who were indulging in espionage on the hills, on the Himalayas, 10,000, 12,000 and 20,000 feet high, at that altitude, and all the time my hon. friend was unaware of the fact that here, in Jantar Mandir, under the very headquarters of his party, of his own party—to which I once belonged for decades—(*Interruption*)—the office of the high command also—these things were going on. (*Interruption*). Well, I am not going to make it a party question here. This became the next of espionage. In those days, we used to complain that Cabinet secrets used to

[Shri Ranga]

go over, across the frontiers, almost within hours, thanks to the radio, telegraph, mikes and various other things,—the AICC secrets and the Working Committee secrets.

Mr. Deputy-Speaker: All these facts are before the House. Please state your case about the privilege motion.

Shri Ranga: How can one alter those facts, and what is the significance of those facts? (*Interruption*) Therefore, Sir, I say here is the man who is responsible for all this.

Mr. Deputy-Speaker: How do these questions arise here?

Shri Ranga: It is the Union Government which should be taken to task for it. That is my first point.

Mr. Deputy-Speaker: It is going into the merits.

Shri Ranga: Please wait a minute. I will make it clear. They, for their own good reasons, left it to that Government; when they became dependent on that Government, they must have shirked the irresponsibility here, for which this Government deserves to be censured, and they have left it to that Government, and that Government has misled them. What should we do? Should we not come with a privilege motion to this House, and should we not have the privilege of raising this question, this motion against the Home Minister there, for having betrayed the national interests of this country, and should we not also take the Home Ministry to task, the Home Minister and the Prime Minister to task, for failing to come forward openly and readily yesterday, to give the name of that police officer and also to what extent the Home Minister was reponsible for this.

श्री मधु लिमये : आप मुझ को विशेषाधिकार का प्रश्न उठाने दीजिये ।

Mr. Deputy-Speaker: I will allow only one Member. Please sit down. (*Interruption*). I am not bound to consult the Members. In fact, rule 222 says:

> "A Member may, with the consent of the Speaker, raise a question involving a breach of privilege either of a member or of the House or of a Committee thereof."

And then, rule 225 says:

> "The Speaker, if he gives consent under rule 222 and holds that the matter proposed to be discussed is in order, shall, after the questions and before the list of business is entered upon, call the member concerned, who shall rise in his place and, while asking for leave to raise the question of privilege, make a short statement relevant thereto:"

I will go one by one. Shri Ranga has placed his case before the House.

श्री मधु लिमये : पहले मेरा प्रश्न पेश होने दीजिये । भाषण उस पर बाद में ही हो सकते हैं ।

Mr. Deputy-Speaker: I will come to you. Please sit down. I will go one by one. I am calling Members one by one,—those who have given notice of privilege motions. Only one Member for each motion would be called. Shri H. N. Mukerjee.

श्री मधु लिमये : पहले मुझे प्रस्ताव रखने दीजिये । समय के अनुसार, इन **क्वाइंट आफ टाइम** मेरा प्रस्ताव पहला है ।

Mr. Deputy-Speaker: Please sit down, Mr. Limaye: I will give you chance.

Shri Madhu Limaye: Who gave the notice first? Whose notice came first in point of time? I cannot understand this procedure.

एक माननीय सदस्य : पहले पहला मोशन लीजिये ।

Shri Madhu Limaye: It is my right to move the motion.

Mr. Deputy-Speaker: I have called Shri Mukerjee. Please sit down.

Shri Surendranath Dwivedy: Sir, I just want to understand the procedure. You had not given consent for any motion to be moved now. (*Interruption.*) I am helping you, if you understand me. The position is, the Speaker has not yet given any permission for any motion to be moved.

Mr. Deputy-Speaker: I am not allowing any.

Shri Surendranath Dwivedy: Therefore, you are trying to satisfy yourself whether there is any motion which could be admitted. There is no question as to who gave first, who gave it second and so on.

श्री मधु लिमये : यह कैसे हो सकता है नोटिस के बिना कोई प्रश्न उठ ही नहीं सकता है ।

Mr. Deputy-Speaker: Please sit down.

श्री मधु लिमये : मैं आप का ध्यान रूल नं० 222 की ओर दिलाना चाहता हूं । उस के उपर मेरा प्वाईंट आफ आर्डर है ।

Mr. Deputy-Speaker: There is no question of priority. I have called Shri Mukerjee:

श्री मधु लिमये : जिस की नोटिस पहले हो उस को पहले बोलने देना चाहिये ।

Mr. Deputy-Speaker: There is no point of order.

Shri Khadilkar (Khed): Sir, I want to rise on a point of procedure before you ask them to state their case. The issue should be clinched; the issue is like this. The officer of the West Bengal Government....

Shri Surendranath Dwivedy: We are not going into the merits.

Shri Khadilkar: I am on procedure. Let us clinch the issue. On that I must be allowed to speak and state the case.

Mr. Deputy-Speaker: I am only asking them how the privilege motion could arise, for my information and knowledge.

Shri Khadilkar: Just a minute on a point of procedure. The question is this: why I say this is because,—everybody will make a speech.... (*Interruption*).

Mr. Deputy-Speaker: Only one Member for each motion.

Shri Khadilkar: How the question of privilege is involved must be stated. (*Interruption.*)

Some hon. Members: No, no.

Mr. Deputy-Speaker: Order, order. Shri Mukerjee will now state his case.

Shri H. N. Mukerjee: Sir, I am seeking your leave—

श्री मधु लिमये : मेरा प्वाइंट आफ आर्डर है ।

Mr. Deputy-Speaker: You are obstructing the proceedings of the House. I am very sorry that the hon. Member should behave like this.

Shri H. N. Mukerjee: Sir, I seek your leave to be allowed to raise the following matter of breach of privilege.

On 6th September, 1966, while correcting an error in his statement of 17th August, 1966, Shri Hathi, the Minister of State, stated that the error occurred not because he deliberately wanted to mislead the House, but because he was so briefed by a Senior Police Officer, specially called to brief him from West Bengal.

Even conceding that Shri Hathi was not guilty of "deliberately misleading" the House, it is clear that the Senior official specially called for the purpose briefed the Minister with misleading and erroneous information. As the official was specially sent for the purpose, he knew the facts and ought to have taken care to brief the Minister with correct facts to be placed before the House. On the Minister's

[Shri H. N. Mukerjee]

own admission the officer responsible for briefing him briefed him wrongly. The official sent by the West Bengal Government thus committed a clear breach of privilege of the House.

I therefore seek your permission to move that the Home Minister of West Bengal and the Home Secretary of West Bengal who were responsible for sending and briefing the official concerned and/or the police officer who briefed Shri Hathi (to be named by the Minister) are guilty of gross contempt of the House for misleading it and seeking to give false information to the House, and should therefore be committed for contempt of the House and punished as deemed proper.

This is why we want to move this motion of privilege.

Shri Madhu Limaye: I beg to raise a question of privilege against the "Senior Police Officer, from West Bengal Government, who had been specially sent to Delhi to give details about the case", mentioned by Mr. Jai Sukh Lal Hathi in the statement in reply to mine under Speaker's Direction 115 made yesterday. A demand was persistently made by the Members of the Opposition yesterday that the Government should disclose the name and identity of this special officer. However, the Government doggedly, and I would say stupidly, refused to disclose the name. Now, the rules regarding privilege motion require that the motion should be against specific person/persons. However, I do not think that it is necessary to name the person to enable the Speaker to decide the admissibility of the motion. On a *prima facie* case being made against the special officer, the Speaker can give his consent, and, on leave being opposed, ask 25 members to stand in their seats to enable the matter to be referred to the Privilege Committee. The Privileges Committee has certainly adequate powers to ask the Government to disclose the identity of the person concerned and issue summons on the special officer/officers/ or any other persons that they appear before the Committee to explain their conduct.

Thus, although I am under no obligation to name the officer concerned to enable the Speaker to give consent for raising the motion, on the basis of my own private information, I wish to state as follows:—

That the officer of the West Bengal Government who came specially to Delhi to give details about the case was none other than Mr. Asoka Chakravarty, Superintendent's I.B. Branch, West Bengal Government, acting under instructions from DIG (CID), Mr. Bagchi, who again was acting under instructions from Mr. K. K. Roy, Home Secretary, West Bengal Government, who again functions under the overall control of the Home Affairs Minister. I am not in a position to say how far the responsibility of the Chief Minister is attracted. Therefore, my privilege motion is against the officers and Minister named above. If however there is any mistake about the identity of the officer/ officers/Minister concerned, it is for Mr. Hathi to come out with the real names, at least before the Privilege Committee, if not before the House. Any attempt to conceal this vital information from the Privileges Committee by the Home Minister or by the Government should be treated as high contempt of the Committee and House.

Now, I would like to point out that the officers who briefed Mr. Hathi had come specially to give him the details of the case, that they were fully aware as to what the real position was in respect of the allegations made by me about the transfer of the Mohit Chaudhury/Sunil Das case from the Special Branch West Bengal Government, to the D. D. Department of the same Government. I therefore charge that the special officer/officers/ Minister and their superior/superiors wilfully and deliberately concealed this information with a view to hoodwink the supreme representative assembly of the nation, namely, the Lok Sabha. If this is not breach of privilege and

contempt of Parliament, I do not know what other action will attract the charge of contempt and misdemeanour. I would like to point out that increasingly war lordism is becoming rampant in the States and authority of the central institutons, including India's Parliament, is increasingly being defied by the bosses dominating the local governments. While we are for State rights and State autonomy, I do not think we can tolerate encroachment on the powers of Parliament where the security and integrity of the nation is concerned. I would, therefore, appeal to you to treat the so-called misleading briefing of the West Bengal Government and its officers as wilful, premeditated and deliberate.

Shri Hari Vishnu Kamath (Hoshangabad): I shall be brief and proceed logically, step by step. Yesterday you were pleased to observe at the end of the brief discussion on the matter that members would be at liberty to give notice of motions of breach of privilege. In accordance with that salutary and sound directive of yours, some of us have given notice accordingly.

My notice of breach of privilege concerns, is directed against, the Chief Minister of West Bengal, who is the head of the West Bengal Government, one of whose officers came and briefed the Minister here. I do not quite agree with Shri Limaye that the person concerned should be mentioned by name. We have precedents.

श्री मधु लिमये : मैंने ऐसा नहीं कहा है ।

Shri Hari Vishnu Kamath: Last March, we had the case of Shri Umanath where the motion of breach of privilege was directed against the Madras Government as a whole, even though the order was served by the Sub-Inspector of Tiruchi. The Madras Government was put on the mat and the Speaker observed that since possibly the order had been issued in ignorance of its implications, the House would be better advised to express its displeasure at the impropriety and let the matter rest there. So, the Madras Government was put on the mat. Only recently, we had the case of the *Statesman*, a leading and responsible newspaper of this country. No correspondent was named in the motion. *The Statesman*, as a body corporate, has been hauled up for breach of privilege and the motion referred to the committee.

Therefore, I venture to assert that Government as a whole—Union Government or any State Government or any Minister—can be hauled up for breach of privilege. Here, an officer came and briefed the Minister. The poor Minister was misled, and he misled the House. You agree up to that, Sir; that is the first step. Whoever the officer was—Chakravartty, Chatterjee or Mukerjee or Bagchi—their axis, all the three of them or three in one, are officers, I will not say minions, but officers and limbs of the West Bengal Government. They act under instructions. Every officer acts under instructions, unless the contrary can be proved that he did not act under instruction. An officer comes here duly instructed by his Government—maybe perhaps by some other super-boss; we do not want to go into that. He comes here and tells the Minister, "Don't say this; suppress this; express this"—*suppressio veri, suggestio falsi*. We are not concerned with that. The West Bengal Government, therefore, is directly and constructively responsible for the House being misled here. The Minister yesterday did express his regret. That means to say, he became fully aware that what he said was wholly wrong and therefore, it is patent now,—there is absolutely no doubt,—that the person who briefed him knowingly misled him. All the ingredients of the offence of breach of privilege are proved. I have, therefore, given notice of my motion that the breach of privilege arises against the Chief Minister, who is the head of the West Bengal Government, whose officer came and knowingly misled the Minister, who in turn misled the House.

[Shri Hari Vishnu Kamath]

I, therefore, hope that you will kindly agree, in pursuance of your own clear directive, to give your consent to the motion. Otherwise, I am sorry to say, you will be stultifying yourself.

श्री बड़े (खारगांव) : प्रिवलेज मोशन देने के लिए आपने निर्देश दिया था । उस के अनुसार हम ने प्रिवलेज मोशन दिया है । सवाल इस में एक ही है जो कि मैम्बरों के लिए कठिनाई पैदा करता है और वह यह है कि उस में नाम देना चाहिये या नहीं देना चाहिये उस अफसर का जिस ने गलत सूचना दी है, । क्या नाम और डेजिगनेशन दिये बगैर कोई प्रिवलेज मोशन आ सकता है, यह सवाल था । हाथी साहब ने कहा है, कि वैस्ट बंगाल गवर्नमेंट के एक उच्च अफसर ने उसको मिसलीड किया है । जो मिसलीड करने वाला अफसर था उस के बारे में हम ने नोटिस दिया है । वैस्ट बंगाल का जो यह उच्च अफसर है उस के खिलाफ प्रिवलेज मोशन आता है । यदि वह यह कहेगा कि मुझ को इनफार्मेशन ऊपर से मिली है तो फिर privilege committee will go into that question of immediate constructive liability.

जिस अफसर ने यहां आकर होम मिनिस्टर साहब को इनफार्मेशन दी थी उसके ऊपर पहले तो यह आता है । इस वास्ते मैं कहूंगा कि इस टैक्नीकल ग्राउंड पर कि उसका नाम नहीं है और डेजिगनेशन नहीं है, इसलिए उनको डिसएलाऊ आप करते हैं । ठीक नहीं होगा । मैं बताना चाहता हूं कि इस से पहले भी स्टेट्समैन के बारे में और श्री कामत द्वारा जो प्रिविलेज मोशन दिए गए हैं, उन में भी किसी का नाम नहीं दिया गया था । इस मामले में इम्मीडिएट आफेन्डर वही है, जिस ने श्री हाथी को यह इन्फर्मेशन दी है, जिसको श्री हाथी ने इस सदन के सामने रखा है ।

Shri S. M. Banerjee: Sir, my privilege motion consists of two parts, because the hon. Home Minister and even the Prime Minister yesterday, even after repeated questions from us, did not give the name of the officer concerned. According to our information, according to the information of many hon. Members here, as was ably stressed by my hon. friend, Shri Madhu Limaye, these officers—Shri Chakravarty, Shri Bagchi and Shri K. K. Roy.....

Shri K. N. Tiwary (Bagaha): Sir, I rise to a point of order. Last time . . .

Mr. Deputy-Speaker: What is the point of order? I have asked him to make out his case. There is no point of order. Please sit down (*Interruptions*). I do not allow any point of order now. Please sit down (*Interruptions*).

Shri S. M. Banerjee: Sir, my hon. friend has mentioned the names of three officers of the West Bengal Government—Shri Chakravarty, Shri Bagchi and Shri K. K. Roy, the Home Secretary. When this point was raised yesterday, I said that expert CID officers in the West Bengal Government have been entrusted with this work by the Special Police but the case has not been passed over to the Intelligence Department and his statement was based on a statement furnished to him by senior police officers from the West Bengal Government who had been specially sent to Delhi to give details about the case. What I mentioned yesterday for your kind consideration was that the Home Secretary of West Bengal, Shri K. K. Roy, under the influence of Shri Atulya Ghosh, because he was directly connected with it, or of other Congress bosses of West Bengal—may be the Chief Minister of West Bengal—told the Deputy Commissioner there that he had no business to arrest Mr. Sunil Das. That is why I mentioned that the Home Secretary of West Bengal Government, under the in-

fluence of Shri Atulya Ghosh, sent a particular officer here to mislead the Central Government.

Shri C. K. Bhattacharyya (Raiganj): Sir, I rise to a point of order. I do object to it.... (*Interruptions*).

Some hon. Members: No point of order.

Mr. Deputy-Speaker: Please do not mention names like that. Shri Atulya Ghosh has denied his complicity in this. He is an hon. Member of this House. You should not mention names like that (*Interruptions*). You mentioned the names of officers. I did not object. It is very bad.

Shri S. M. Banerjee: Sir, kindly hear me.

Shri C. K. Bhattacharyya: It is stupid. It should not be allowed to go on record.

Mr. Deputy-Speaker: Please do not mention any names.

Shri Hem Barua: Sir, I rise to a point of order. Can an hon. Member call another hon. Member "stupid". Here is an hon. Member calling another hon. Member "stupid": "He is stupid" he said.

Shri Umanath (Pudukkottai): The other day when the Home Minister was called "foolish", objection was raised and the ruling given was that no Member should be called "foolish". But he called Shri Banerjee "stupid". Let him withdraw that word. Let the word be expunged.

Mr. Deputy-Speaker: Has he called him "stupid"? (*Interruptions*). I will look into the records. If he has called him "stupid", I will expunge it. Please do not mention any names. (*Interruption*).

Shri C. K. Bhattacharyya: Sir, he said that the Home Secretary functions under Shri Atulya Ghosh. This should not be on the record. He said the Home Secretary of West Bengal functions under Shri Atulya Ghosh. Do you accept this statement?

Some hon. Members: Yes. (*Interruptions*).

Mr. Deputy-Speaker: Shri Atulya Ghosh has denied the allegations. You should not bring in his name. Please do not mention his name now.

Shri S. M. Banerjee: I am not making any allegations against him. May I assure my friend, foolish friend, Shri Bhattacharyya—he called me 'stupid' so I call him 'foolish'.....

Mr. Deputy-Speaker: Then both will remain.

Shri S. M. Banerjee: Let him not be as foolish as he looks, then he will not understand my point.

Shri Rameshwar Sahu (Rosera): Sir, I rise to a point of order. He has called Shri Bhattacharyya "foolish" (*Interruptions*).

Shri S. M. Banerjee: I am not mentioning the name of Atulya Ghosh.

Mr. Deputy-Speaker: You are unnecessarily taking the time of the House.

Shri S. M. Banerjee: Sir, let me explain my case. I said, Sir, yesterday, that the Home Secretary under the influence of Congress bosses—I am not mentioning any names (*Interruptions*). I am not to get a ticket from Shri Atulya Ghosh it is he who has to get the ticket. Let him fall at his feet. I said, Sir, this has been done under the influence of Congress bosses, that is why an officer was sent, as admitted by Shri Hathi, and that is why the Minister has misled the House. So my privilege motion is, if the names are not to be mentioned, not against all the officers of West Bengal because I cannot move an omnibus motion like that, but against the West Bengal Government.

[Shri S. M. Banerjee]

In this case I made two points. One was that he misled the entire House by giving a wrong information, a false information to the hon. Minister, who misled the House because of that information and the entire country has been misled by it. The second point, which is also a pertinent point, I asked was about the blue-prints of Farakka Barrage. That is apart from this, but it is a very important question. Today is the last day. In the larger interest of the country I am asking this and not on any political considerations. There is a charge that one Shri K. K. Framji, Joint Secretary, Ministry of Irrigation and Power, was smuggling paper. This officer was forced to resign. Now we find that all these blue-prints of Farakka Barrage, which are so important for the security of our country, for the integrity of our country, have been passed over. They should reply to that point also. Therefore, Sir, my privilege motion should be considered by you. I am hundred per cent sure *** nothing will be possible..... (*Interruptions*).

Shri Sheo Narain (Bansi): Sir, you are not paying any attention to this side. Many of us have been standing (*Interruptions*).

Mr. Deputy-Speaker: Will you withdraw those words, Shri Banerjee?

Shri Umanath: Why should he (*Interruptions*)?

Mr. Deputy-Speaker: He is an hon. Member of this House.

Shri Prabhat Kar (Hooghly): *** we cannot suggest that even?

Mr. Deputy-Speaker: You should not suggest that.*** (*Interruptions*).

Shri Surendranath Dwivedy: May I humbly submit to you...(*Interruption*).

Shri Prabhat Kar: * * * No suggestions can be made? (*Interruption.*)

Shri Surendranath Dwivedy: Sir, you will be creating a very bad precedent if what you say goes on record. A Member can certainly make that suggestion. It is neither unparliamentary, nor derogatory nor defamatory. On what ground would you like the Member to withdraw that? That may not be necessary for the issue that we are raising here; it may not be very relevant to the very purpose of the admission of the privilege motion, but if a Member has mentioned it you may reject it as irrelevant but you cannot ask him to withdraw it nor can you expunge it.... (*Interruption*)

Mr. Deputy-Speaker: * * *.

Shri S. M. Banerjee: * * *.

Shri Umanath: * * *.

Mr. Deputy-Speaker: Order, order, It is certainly defamatory.. (*Interruption*). These words are expunged. There must be some decency in using language.... (*Interruption*).

Shri S. M. Banerjee: On a point of order.. (*Interruption*).

Mr. Deputy-Speaker: There is no point of order.... (*Interruption*).

Shri S. M. Banerjee: What is the indecency in ** (*Interruption*).

Shri Manaen (Darjeeling) Sir, it raises a serious matter.... (*Interruption*).

Mr. Deputy-Speaker: Order, order, Please sit down. Let there be silence in the House.

Shri Manaen: Sir, their anger is understandable. I can understand their anxiety also.... (*Interruption*).

Mr. Deputy-Speaker: Order, order, Please sit down.

Shri Manaen: It is a matter of the security and integrity of the coun-

*** Expunged as ordered by the Chair, *vide* col. 9767.

try.... (*Interruption*). It should be the anxiety not only of the Opposition but it is a matter of anxiety for all sections of the House.

Mr. Deputy-Speaker: Please sit down.

Shri Manaen: You have allowed me.

Mr. Deputy-Speaker: Nothing more. Please sit down. Those words are expunged.... (*Interruption*).

Shri Manaen: It is a very important point.

Mr. Deputy-Speaker: Please sit down. I ask you to sit down.

Some hon. Members: He should be named . . . (*Interruption*).

Mr. Deputy-Speaker: Please sit down.... (*Interruption*).

Shri Ranga: Mr. Deputy-Speaker, Sir . . . (*Interruption*).

Shri Manaen: One, question only.. (*Interruption*).

Mr. Deputy-Speaker: I will have to ask you to go out if you go on like this.... (*Interruption*). Please sit down.

Shri Manaen: Nobody should create communal tension...(*Interruption*)..

Mr. Deputy-Speaker: Order, order. Please sit down.

Shri Manaen: Whether this is a matter of espionage or subversion.... (*Interruption*).

Mr. Deputy-Speaker: Shri Manaen is going on in spite of my request to sit down. What is this? At least the Congress Members should observe... (*Interruption*). Please sit down.

Shri S. N. Chaturvedi (Firozabad): Sir, I have to say something about the admissibility of the motion.

Mr. Deputy-Speaker: Please sit down. The Home Minister.

Shri Ranga: Sir, with all sense of responsibility I am mentioning this to you. Yesterday you asked Shri Bagri to go out. At least, he was the leader of a group, but here is a gentleman who is specially loyal to the AICC and he has been defying you. The least you can do is to ask him to leave the House for the rest of the day.

Shri H. N. Mukerjee: On much lesser provocation Members on this side have been named and suspended. For a long time you asked Shri Manaen to sit down and he did not sit down. If he were a Member of this side, he would have been named and suspended.

Shri Surendranath Dwivedy: The Leader of the House shiuld be courageous enough to come forward and say that. Why does he not come forward? Is it because he is a member of his party? Sir, you ask Opposition Members to get out, but here is a Member who defined the Chair and wasted the time of the House, yet no action is taken.... (*Interruption*).

Mr. Deputy-Speaker: Order, order,

Shri Surendranath Dwivedy: Let him say whether he has defined the Chair or not.

Shri Ranga: Here is the Leader of the House sitting.... (*Interruption*).

Mr. Deputy-Speaker: Please sit down now. The Home Minister.

The Minister of Home Affairs (Shri Nanda): Sir, it is for you to give your ruling.... (*Interruption*).

श्री हुकम चन्द कछवाय (देवास): मैं प्रस्ताव करता हूं कि पहले आप उन को बाहर निकालिए । हम सुनेंगे बाद में, पहले उन को बाहर निकालिए ।

Shri J. B. Kripalani (Amroha): May I request the Opposition people not to

[Shri S. M. Banerjee]

lose sight of a principle because of a person.

Shri Ranga: He goes on obstructing the House.

Shri J. B. Kripalani: Let us forget so far as the obstruction of the House is concerned. I simply request this. Please do not confuse a big issue with a small issue. Leave it to the Deputy-Speaker to deal with him as he likes.

Shri Nambiar (Tiruchirapalli): I sought your permission to make a statement but you did not permit me and I sat down. Here is a Secretary of the Congress Party going on despite your asking him to sit down. This is not a good example. This is not proper. You should be equal to both sides....

Mr Deputy-Speaker: I am being equal to both the sides.

Shri Nambiar:....otherwise, there cannot be any justice here.

Shri Nanda: So far as the question before you is concerned, it is for you to give your ruling: I only want to make one or two submissions. One is that the privilege of any Member and of the House is a matter for all of us, for me also, of the greatest concern. I yield to none in this claim that I, as a Member of this House and as a member of the Government, would go to the farthest limit to protect, preserve and help in doing that so far as the privileges of the House are concerned. No question arises there.....

Dr. Ranen Sen (Calcutta East): Question.

Shri Nanda: ....of any person, whatever the position he may be holding and wherever that person may be.... (*Interruption*). To assist this House and to assist the Chair in dealing with this matter effectively, that is that I would do.

Shri S. M. Banerjee:**

Shri C. K. Bhattacharyya: Atulya Ghosh has gone into your brain.

Shri S. M. Banerjee: Sir, I though that insanity was a disqualification for being a Member of this House. But, I am sure now that that is no disqualification.

Shri Nanda: Now, for any motion before this House, there are certain prescribed limits has to be within those limits and if any irrelevant matter is introduced, I submit respectfully, then all kinds of question arise. If they introduce the name of a person without anything of provocation, without any kind of proof, without anything having arisen to convince that, whether it is the name of 'A' or 'B' or any organisation or the A.I.C.C. or the Congress, if such irrelevant matters are introduced, the provocation arises and then we have all the troubles. Therefore, let us locate the source of the trouble. If things move on proper lines, there will be no such trouble.

Then, in this House, yesterday practically the whole of this ground was covered.

An hon. Member: No.

Shri Nanda: The question of the name was there.... (*Interruption*). I did not and I am not going to do that now.

Some hon. Members: Why?

Shri Nanda: The reason that I gave yesterday and which I submit, proved to be acceptable—at least that is what I thought—to the Members on the other side also is that let us not judge the issue. I have undertaken, and that undertaking remains, that I was going to have the facts explored and ascertained, whatever the chain is there, before the Chair can come to any conclusion regarding that. This was agreed and the matter was over. There is nothing new that arises at this juncture.

** Expunged as ordered by the Chair.

Shri Hari Vishnu Kamath: It is not for the security-blind, at least security-squint, Government to judge the issue. Only a Committee of the House can judge the issue.

Mr. Deputy-Speaker: I have heard the hon. Members who have tabled breach of privilege motions. All these arise out of the statement made by Mr. Hathi....

Shri Ram Sewak Yadav (Barabanki): Are you giving your ruling?

Mr. Deputy-Speaker: Yes.

Shri S. M. Banerjee: Then, I rise on a point of order.

Mr. Deputy-Speaker: Order, order. There is no point of order. He had stated clearly....

Shri S. M. Banerjee: I rise on a point of order.

Mr. Deputy-Speaker: Order, order.

He had stated clearly that an officer of the West Bengal Government gave that information. The officer of the Government is responsible only to the Minister. It is the Minister who is responsible to this House. The Minister has made a statement that he was misled by the officer and he expressed regret. So far as that matter is concerned, that is over.

Now, as to whether this House can go into the question of breach of privilege committed by an officer who gave the information to the Minister, I think, it is purely an administrative matter.... (*Interruptions*). Order order. He is an officer of the West Bengal Government. Yesterday, both the Prime Minister and the Home Minister stated that an inquiry is being made and that the guilty would be brought to book and that they are not there to shield anybody. It is a purely administrative matter and there is no question of breach of privilege. So, all these breach of privilege motions are ruled out. (*Interruptions*).

Shri S. M. Banerjee: You do not have the courage.... (*Interruption*). You can imagine why* (*Interruptions*). Nobody can give a fair ruling.

Mr. Deputy-Speaker: Order, order. Papers to be laid.

Shri Surendranath Dwivedy: What is this? Shri C. K. Bhattacharyya goes to the Table and tries to do something .... (*Interruptions*).

Shri S. M. Banerjee: He is going to the Table; he is tampering with the records.

Shri Surendranath Dwivedy: He is standing in the middle of the House.... (*Interruptions*).

Mr. Deputy-Speaker: Order, order. Can't a Member go to the Table and ask for some information?

Shri Surendranath Dwivedy: That is right. But he was standing in the middle of the House. (*Interruption*).

Mr. Deputy-Speaker: Order, order. Papers to be laid.

13.0 hrs.

PAPERS LAID ON THE TABLE

Notifications making amendments to Kerala Education Rules, 1959 under Kerala Education Act. 1958.

The Deputy Minister in the Ministry of Education (Shri Bhakt Darshan): On behalf of Shri M. C. Chagla, I lay on the Table—

(1) A copy each of the following Notifications making certain amendments to the Kerala Education Rules, 1959, under section 37 of the Kerala Education Act, 1958, read with clause (c) (iv) of the Proclamation dated the 24th March, 1965.

** Expunged as ordered by the Chair.

[Shri Bhakt Darshan]

issued by the Vice-President, discharging the functions of the President, in relation to the State of Kerala:—

(i) S.R.O. No. 410/65 published in Kerala Gazette dated the 23rd November, 1965.

(ii) S.R.O. No. 119/66 published in Kerala Gazette dated the 15th March, 1966.

(iii) S.R.O. No. 197/66 published in Kerala Gazette dated the 17th May, 1966.

[*Placed in Library, See* No. LT-7045/66].

(2) A copy each of the following Reports along with Explanatory Memoranda thereon, under sub-section (6) of section 4 of the Kerala Education Act, 1958, read with clause (c) (iv) of the Proclamation dated the 24th March, 1965, issued by the Vice-President, discharging the functions of the President, in relation to the State of Kerala:—

(i) Annual Report of the State Education Advisory Board for the period May 1962 to May 1963.

(ii) Annual Report of the State Education Advisory Board for the period May 1963 to May 1964.

(iii) Annual Report of the State Education Advisory Board for the period May 1964 to May 1965.

(3) A statement showing reasons for delay in laying papers mentioned at items (1) and (2) above. [*Placed in Library, see* No. LT-7046/66].

(4) A copy of the Annual Report of the Indian Institute of Technology, Bombay, for the year 1964-65. [*Placed in Library. See* No. LT- 7047/66].

(5) A copy of the Annual Report of the Indian Institute of Technology, Madras, for the year 1964-65. [*Placed in Library, See* No. LT-7048/66].

(6) A statement in reply to Half-an-Hour discussion raised by Shri Kishen Pattnayak on the 3rd September, 1966, regarding Indian School of International Studies under direction 19 of the Directions by the Speaker under the Rules of Procedure and Conduct of Business in Lok Sabha. [*Placed in Library. See* No. LT-7049/66].

STATEMENT RE: REPORT OF WORLD BANK TEAM ON COAL TRANSPORT STUDY

The Deputy Minister in the Ministry of Finance (Shri L. N. Mishra): On behalf of Shri Asoka Mehta, I lay on the Table a statement indicating the action taken or proposed to be taken on the Report of the World Bank Team on Coal Transport Study. [*Placed in Library. See* No. LT-7050/66].

REPORT OF TARIFF COMMISSION ON PRICE STRUCTURE OF CATGUTS INDUSTRY

The Minister of Industry (Shri D. Sanjivayya): I lay on the Table a copy each of the following papers under sub-section (2) of section 16 of the Tariff Commission Act, 1951:—

(1) Report (1966) of the Tariff Commission on the Price Structure of Catguts Industry.

(2) Government Resolution No. L.E.I. (A)-16(5)/65 dated the 18th August, 1966.

(3) Statement showing the reasons why the documents mentioned at (1) and (2) above could not be laid on the Table within the period prescribed in the said section.

[*Placed in Library. See* No. LT-7051/66].

STATEMENT ON FOOD SITUATION IN THE COUNTRY

The Minister of Food, Agriculture, Community Development and Cooperation (Shri C. Subramaniam): I lay on the Table a Statement on the Food Situation in the country. [*Placed in Library. See* No. LT-7052/66].

Shri Hari Vishnu Kamath (Hoshangabad): On item 7, I want to say something. We have got a copy of the statement laid on the Table on food situation in the country. I wish he had laid it yesterday and then we could have raised questions. It is a serious matter . . . (*Interruption*).

Mr. Deputy-Speaker: Let it be circulated to the Members.

Shri Hari Vishnu Kamath: I have got a copy of it already.

Mr. Deputy-Speaker: No questions are permitted on the statement laid on the Table.

Shri Hari Vishnu Kamath: Please have patience. You as well as the Speaker have given rulings in this connection, not once or twice but times without number, and yet the Ministers show scant regard for the rulings of yourself as well as the Speaker.

Sir, I had given a notice of a Short Notice Question on the 25th August. You have advised the Ministers categorically that in regard to any Short Notice Question, so also in the case of Call Attention Notices, the reply should come from the Ministry within three days. About my Short Notice Question, it was pending in the Ministry till 3rd September, for nine days, and then I had no alternative but to give a Call Attention notice the day before yesterday, and yesterday, I was told by the Lobby Assistant that it was under consideration. Today, I am told that because the Minister is making a statement, and I can therefore raise the question after he has made the statement. That is why I am raising it.

The last paragraph of the statement refers to very acute scarcity conditions in the Vindhya division, Rewa and other districts of Madhya Pradesh. Authentic reports have come from Rewa division of Madhya Pradesh that there have been starvation deaths and responsible men like the *sarpanches* have given facts and figures. The leader of the opposition, Shri Tiwari and many of my party colleagues in the State have been arrested for carrying on agitation against the apathy, the callousness, of the Administration in Madhya Pradesh. In view of that, I would like to know what the Minister has got to say in regard to the present conditions in the Rewa division of Madhya Pradesh. He has denied it. Because Madhya Pradesh Government denies it, he also denies it. If Madhya Pradesh Government misleads, he also misleads. We have got one case of misleading already there.

Mr. Deputy-Speaker: There cannot be question on the statements laid on the Table of the House.

Shri Vasudevan Nair (Ambalapuzha): Why is he making the statement on the last day of the session? It is evading the issue.

Mr. Deputy-Speaker: I am asking the Minister to take note of it and supply food to those scarcity areas . . . (*Interruptions*). I am not allowing any questions.

Shri Ranga (Chittoor): There are scarcity conditions in Rayalseema, Chittoor . . .

Mr. Deputy-Speaker: The Government will take note of it.

Shri Bade (Khargone): Today is the last day of the session. I had given notice of an adjournment motion and call attention notice. They have been disallowed simply because the Minister is making a statement. Sir, I have received this American milo which is being given to *Adivasis*. This is rotten dust that is being given to them, to the *Adivasis*, in east and west Nema district of Indore Commissionary of

[Shri Bade]

Madhya Pradesh. It is sent in open trains. Therefore, it has become mud. They are starving and there is an epidemic of gastro-enteritis in that area. It is due to this rotten milo. I am prepared to show it to Mr. Subramaniam. I would like to draw the attention of Mr. Subramaniam to this and would request him to look into this matter. In my own district in Madhya Pradesh, this American milo is supplied; it is rotten.. (*Interruptions*).

14 hrs.

Mr. Deputy-Speaker: Order, order. He may please sit down.

श्री हुकम चन्द कछवाय (देवास) : मैंने 26 जुलाई को मंत्री महोदय को नमूना दिया था, लेकिन आज तक उसके बारे में कोई एन्क्वायरी नहीं की । मैं पुनः उसको आपके सामने रखता हूं जैसा खाना आदिवासी लोगों को दिया जाता है, और मध्य प्रदेश, राजस्थान, महाराष्ट्र और उत्तर प्रदेश के इलाकों को दिया जाता है ।

Mr. Deputy-Speaker: I am not allowing any questions.

श्री हुकम चन्द कछवाय : 26 जलाई को मैंने यह नमूना दिया था । मैं जानना चाहता हूं कि इस संबंध में उन्होंने कौन सी एन्क्वायरी करवाई है । उन इलाकों में उसके कारण बीमारी फैल रही है । उस ज्वार को आखिर कौन खा सकता है . . . (**व्यवधान**) ।

Mr. Deputy-Speaker: He may please sit down. Nothing more. Let us go on with the business. Item 8.

ANNUAL REPORT OF THE KERALA FINANCIAL CORPORATION FOR 1966, ETC.

Shri L. N. Mishra: On behalf of Shri B. R. Bhagat, I beg to lay on the Table—

(1) A copy of the Annual Report of the Kerala Financial Corporation for the year ended the 31st March, 1966, along with the Audited Accounts, under sub-section (3) of section 38 of the State Financial Corporations Act, 1951, read with clause (c) (iv) of the Proclamation dated the 24th March, 1965, issued by the Vice-President, discharging the functions of the President, in relation to the State of Kerala. [*Placed in Library. See* No. LT-7053/66].

(2) A copy each of the following papers under sub-section (7) of section 37 of the State Financial Corporations Act, 1951, read with clause (c) (iv) of the Proclamation dated the 24th March, 1965, issued by the Vice-President, discharging the functions of the President, in relation to the State of Kerala:—

(i) Audit Report on the Accounts of the Kerala Financial Corporation for the year ended the 31st March, 1962.

(ii) Audit Report on the Accounts of the Kerala Financial Corporation for the year ended 31st March, 1963.

(iii) Audit Report on the Accounts of the Kerala Financial Corporation for the year ended the 31st March, 1964.

[*Placed in Library. See* No. LT-7054/64].

(3) A copy each of the following Notifications making certain amendments to the Tax Credit Certificate (Exports) Scheme, 1965, under sub-section (4) of section 280ZE of the Income-tax Act, 1961:—

(i) G.S.R. 694 published in Gazette of India dated the 6th May, 1966.

(ii) G.S.R. 865 published in Gazette of India dated the 6th June, 1966.

(iii) G.S.R. 1226 published in Gazette of India dated the 8th August, 1966.

(4) A statement showing reasons for delay in laying the Notifications mentioned at (i) to (iii) of item (3) above.

[*Placed in Library. See* No. LT-7053/66.]

(5) A copy each of the following Notifications under section 159 of the Customs Act, 1962:—

(i) G.S.R. 1316 published in Gazette of India dated the 27th August, 1966.

(ii) G.S.R. 1319 published in Gazette of India dated the 27th August, 1966.

[*Placed in Library. See* No. LT-7056/66].

(6) A copy of the Customs and Central Excise Duties Export Drawback (General) Seventy-ninth Amendment Rules, 1966, published in Notification No. G.S.R. 1320 in Gazette of India dated the 27th August, 1966, under section 159 of the Customs Act, 1962 and section 38 of the Central Excises and Salt Act, 1944. [*Placed in Library. See* No. LT-7057/66].

(7) A copy each of the following Notifications under sub-section (2) of section 9 of the Kerala Stamp Act, 1959, read with clause (c) (iv) of the Proclamation dated the 24th March, 1965, issued by the Vice-President, discharging the functions of the President, in relation to the State of Kerala:—

(i) S.R.O. No. 260/66 published in Kerala Gazette dated the 12th July, 1966.

(ii) S.R.O. No. 310/66 published in Kerala Gazette dated the 16th August, 1966.

(8) A statement showing reasons for delay in laying the Notifications mentioned at (i) and (ii) of item (7) above.

[*Placed in Library. See* No. LT-7058/66].

NOTIFICATION MAKING AMENDMENT IN INDIAN POLICE SERVICE (PAY) RULES AND THE DELHI ADMINISTRATION (REMOVAL OF DIFFICULTIES) ORDER

The Deputy Minister in the Ministry of Home Affairs (Shri P. S. Naskar): On behalf of Shri Hathi, I beg to lay on the Table—

(1) A copy of Notification No. G.S.R. 1270 published in Gazette of India dated the 20th August, 1966, making certain amendment to Schedule III to the Indian Police Service (Pay) Rules, 1954, under sub-section (2) of section 3 of the All India Services Act, 1951. [*Placed in Library, See* No. LT-7059/66].

(2) A copy of the Delhi Administration (Removal of Difficulties) Order No. 1 published in Notification No. F. 10/28/66-SR in Delhi Gazette dated the 1st September, 1966, under sub-section (2) of section 38 of the Delhi Administration Act, 1966. [*Placed in Library, See* No. LT-7060/66].

Shri Priya Gupta (Katihar): Please hear me, Sir. You have got to hear me. There is so much of discontent..

Shri Bade: The rotten American milo is sent in open bogies . . . (*Interuptions*).

Mr. Deputy-Speaker: Order, order. Mr Jaganatha Rao.

STATEMENT SHOWING THE ACTION TAKEN BY THE GOVERNMENT ON VARIOUS ASSURANCES, PROMISES AND UNDERTAKINGS.

The Minister of State in the Departments of Parliamentary Affairs and Communications (Shri Jaganatha Rao): I beg to lay on the Table the following statements showing the action taken by the Government on various assurances, promises and undertakings given by the Ministers

[Shri Jaganatha Rao]
during the various sessions of Third Lok Sabha:—

(i) Statement No. I—Fifteenth Session, 1966.

(ii) Supplementary Statement No. V—Fourteenth Session, 1966.

(iii) Supplementary Statement No. VII—Thirteenth Session, 1965.

(iv) Supplementary Statement No. X—Twelfth Session, 1965.

(v) Supplementary Statement No. XIV—Eleventh Session, 1965.

(vi) Supplementary Statement No. XVI—Tenth Session, 1964.

(vii) Supplementary Statement No. XXIII—Seventh Session, 1964.

[*Placed in Library. See* No. LT-7061/66 to LT-7067/66].

श्री हुकम चन्द कछवाय : सुब्रह्मण्यम साहब कहां भाग गये। उन्हें बुलाइये, वह नमूना देखें। मैं पहले भी नमूना दे चुका हूं। उस के बारे में उन्होंने क्या एन्क्वायरी की।

Shri Priya Gupta: I have given a call-attention notice and a short notice question and the Speaker had assured...(*Interruptions*).

Mr. Deputy-Speaker: How can I go on with the business if so many members speak at a time?

Shri Surendranath Dwivedy: (Kendrapara): Mr. Priya Gupta was given an assurance by the Speaker on his call-attention notice and short-notice question that when the Food Minister makes a statement, he could put a question. You may see the proceedings.

Mr. Deputy-Speaker: Is there any assurance? If he has assured, he will be called.

श्री हुकम चन्द कछवाय : सुब्रह्मण्यम साहब कहां गये। मुझे उनसे सवाल पूछना है। वह सदन छोड़ कर भाग गये हैं। उन्होंने सदन का अपमान किया है।

Shri Bade: The Minister has already left the House. He should be called back. There is an epidemic and people are dying. . . .

Mr. Deputy-Speaker: Order, order. We have already gone to item 10. We cannot go back now. I am very sorry, Mr. Bade.

श्री हुकम चन्द कछवाय : उनके विषय की चर्चा चल रही है यहां पर।

Shri Bade: When we are speaking on food, he has left the House.

Mr. Deputy-Speaker: He need not sit here all the time. His item was over.

Shri Hari Vishnu Kamath: On item 8, I want to say something.

Mr. Deputy-Speaker: We have already gone to item 10. I am very sorry.

Shri Hari Vishnu Kamath: I have been shouting.

Mr. Deputy-Speaker: What does he want?

श्री हुकम चन्द कछवाय : खाद्य मंत्री को बुलवाइये। हमारे क्षेत्र को खराब ज्वार दी जा रही है। मैंने उनको 26 जुलाई को नमूना दिया है।

श्री बड़े : हम उनसे सवाल पूछना चाहते हैं।

Shri Priya Gupta: I want to ask a question. . . .

Mr. Deputy-Speaker: I am not allowing any questions. Please sit down.

श्री हुकम चन्द कछवाय : आज तक उन्होंने कौन सी एन्क्वायरी करवाई है। वह खराब ज्वार दे रहे हैं। इस तरह से हमारे यहां लोगों को मारा जाता है।

Mr. Deputy-Speaker: Mr. Kachhavaiya is shouting at the top of his voice in spite of my requests to sit down. I will ask him to go out.

Shri Bade: You should allow us to say something. I would not allow you to proceed with the business unless and until we are heard.

Mr. Deputy-Speaker: How can it go on like this? I cannot allow any questions on the statement laid on the Table.

Shri Bade: Let him be called back. I would not allow you to proceed. You have not allowed us to say something on item 7. When I was saying something, the Minister was leaving. Is it not an insult to the House?

Mr. Deputy-Speaker: We have gone to the next item.

Shri Bade: I had some questions to ask.

Mr. Deputy-Speaker: Has the Speaker given any assurance?

श्री हुकम चन्द कछवाय : 26 जुलाई को मैंने नमूना दिया था और सदन में कहा गया था कि ऐसा नहीं होगा। लेकिन 26 जुलाई के बाद भी वह और ज्यादा खराब दिया जा रहा है, स्थिति में कोई अच्छा परिवर्तन नहीं हुआ है। इसलिये आप मंत्री महोदय को सदन में बुलवाइये। हम उन से सवाल पूछना चाहते हैं।

Mr. Deputy-Speaker: According to rules, on statements laid on the Table no questions can be asked. If a statement is made on the Floor of the House, then certain questions can be asked. I do not know whether the Speaker has given any such assurance. He may please show me. I will call Mr. Subramaniam, and will ask him to answer.

श्री हुकम चन्द कछवाय : मैं बैठ जाता हूं लेकिन आप मेरी बात सुन लें।

Mr. Deputy-Speaker: Order, order. I had asked him to go out.

श्री हुकम चन्द कछवाय : मैं नहीं जाता हूं, मैं बैठ जाता हूं। लेकिन मैं कहना चाहता हूं कि मैंने 26 जुलाई को सूचना दी थी। उसके बाद से स्थिति में कोई परिवर्तन नहीं हुआ है। हमारे यहां और भी खराब ज्वार दी जा रही है।

Mr. Deputy-Speaker: Mr. Kachhavaiya may please go out. He is obstructing the proceedings of the House. I have asked him to sit down at least half a dozen times. (*Interruptions*).

Several hon. Members *rose*—

Mr. Deputy-Speaker: Please sit down. I asked Mr. Kachhavaiya to go out. He may please go out.

Shri Priya Gupta *rose*—

Mr. Deputy-Speaker: Mr. Priya Gupta may please sit down. There must be some limit to this. I am very sorry the House is reduced to this state of affairs. (*Interruptions*).

Shri Priya Gupta: The Speaker told me that I could ask questions when the Food Minister lays the statement . . .

Shri Vasudevan Nair: The Minister has behaved in such an insulting manner! He has left the House. Do you think that the Ministers should behave like this?

Mr. Deputy-Speaker: I have gone on to so many items ahead. There was nothing for him to do. He may have gone out. There is nothing wrong in that. (*Interruptions*).

Mr. Deputy-Speaker: Mr Kachhavaiya is talking at the top of his voice. I am very sorry members should behave like this. (*Interruptions*).

Shri Priya Gupta: I gave a call-attention notice and short notice question regarding food scarcity in Assam and about the hardship of 65,000 railway men serving in Assam running the railways. They are standing in the queu from morning 4 till night... (*Interruptions*). The Speaker told me that he would consider this and allow me to ask

[Shri Priya Gupta]

questions when there is a statement by the Food Minister. I contacted the Secretary of the Lok Sabha Secretariat also on this issue.

श्री हुकम चन्द कछवाय : हमारे यहां लोगों से जबर्दस्ती लेवी ली जा रही है । उन से जबर्दस्ती पैसा वसूल किया गया है । जिन के पास अनाज नहीं था उन से पैसा वसूल किया गया है, उसके बाद खराब ज्वार खाने को दी जाती है । जो देश को अन्न पैदा कर के देता है उसको भी इतनी खराब ज्वार दी जाती है ।

उपाध्यक्ष महोदय : आर्डर, आर्डर ।

श्री हुकम चन्द कछवाय : मंत्री महोदय को सदन में बुलाया जाये । जब तक वह नहीं बुलाये जायेंगे तब तक सदन में ऐसी चीजें चलती रहेंगी । वह सदन का अपमान कर के चले गये हैं ।

Shrimati Renu Chakravartty (Barrackpore): When the Members say that they have been given an assurance, you should take their word. If Shri Priya Gupta and Shri Surendranath Dwivedy both say that they have been given that assurance, why do you not allow them to ask a few questions? It is a simple matter.

श्री हुकम चन्द कछवाय : खाद्य मंत्री ने आश्वासन इसी सदन में दिया था कि ऐसी ज्वार मध्य प्रदेश को नहीं देंगे । फिर क्यों यह ज्वार भेजी ?

Mr. Deputy-Speaker: On what date was that assurance given?

Shri Surendranath Dwivedy: No harm would be done if the hon. Minister could come for a few minutes and answer the questions. You may fix the time, and you may allow the three or four Members who had tabled the calling attention notice to ask some questions. They were told that they would have an opportunity to ask questions when the statement would be made. No harm would be done if the hon. Minister could be called for about ten minutes here.

Mr. Deputy-Speaker: I shall ask him to come at the end of the day here and those two or three Members might put questions.

Shri Hari Vishnu Kamath: Now, we go back to item No. 8. I am glad to find that the Ministers, at least some of them, have learnt a lesson, and have started giving the House reasons for delay.

But you will be pleased to see that under sub-item (2) of item 8, certain reports relating to the years ending the 31st March, 1962, 31st March, 1963 and 31st March, 1964 have been laid on the Table of the House. Whereas under item (3), there is a statement giving reasons for the delay in laying the items mentioned under item 8 (3), which relate to subsequent periods, namely May, 1966. June, 1966, and August, 1966, with regard to these reports relating to the years 1962, 1963 and 1964, however, there is no statement giving reasons for the delay. So, the hon. Minister should explain why there is no statement giving reasons for the delay.

Shri L. N. Mishra: I shall try to find out. . . .

Shri Hari Vishnu Kamath: He will find out?

Shri L. N. Mishra: I shall try to find out. I am sorry for the delay. I shall find out the reasons and make a statement before the House.

Shri Hari Vishnu Kamath: This is going on from day to day.

The Minister of State in the Ministry of Law (Shri C. R. Pattabhi Raman): I beg to lay on the Table a copy of Order No. 14A of the Delimitation Commission published in Notification No. S.O. 2002 in Gazette of India dated the 30th June, 1966, under sub-section (2) of section 11 of the Delimitation Act, 1963, making certain corrections in the Delimita-

tion Commission's Order No. 14, dated the 23rd April, 1966, relating to the State of Rajasthan. [*Placed in Library. See* No. LT-7068/66].

ADMINISTRATION REPORT OF KERALA STATE ELECTRICITY BOARD

Shri Bhakt Darshan: On behalf of Dr. K. L. Rao, I beg to lay on the Table a copy of the Administration Report of the Kerala State Electricity Board for the year 1963-64, under sub-section (1A) of section 75 of the Electricity (Supply) Act, 1948, read with clause (c)(iv) of the Proclamation dated the 24th March, 1965, issued by the Vice-President, discharging the functions of the President, in relation to the State of Kerala. [*Placed in Library. See* No. LT-7069/66].

श्री बूटा सिंह (मोगा) : अभी सभा पटल पर केरल स्टेट इलैक्ट्रिसिटी बोर्ड की एडमिनिस्ट्रेशन रिपोर्ट रखी गई है । केरल में राष्ट्रपति जी का शासन है । जिस तरह से वहां राष्ट्रपति जी का शासन है उसी तरह से पंजाब में भी राष्ट्रपति जी का शासन है । वहां पर स्टेट इलैक्ट्रिसिटी बोर्ड के पांच सौ इंजीनियर्ज ने इस्तीफा दे दिया है ।

Mr. Deputy-Speaker: That is a different matter altogether. That does not arise out of this item.

श्री बूटा सिंह : उनके इस्तीफे मंजूर होने जा रहे हैं । हमने इसके ऊपर एक कालिंग एटेंशन नोटिस दिया था जिस को आपने नामंजूर कर दिया है ।

Mr. Deputy-Speaker: It does not arise out of this item.

श्री बूटा सिंह : आज इस सैशन का आखिरी दिन है । अगर इसके मुताल्लिक आप आज हमें बोलने नहीं देंगे तो फिर कौन सा मौका हमें मिलेगा ?

Mr. Deputy-Speaker: It does not arise out of this item.

श्री बूटा सिंह : उनके इस्तीफे मंजूर होने जा रहे हैं । मैं चाहता हूं कि डा० राव पंजाब के बारे में भी स्टेटमेंट दें ।

INTERNATIONAL COPYRIGHT (SECOND AMENDMENT) ORDER

Shri Bhakt Darshan: I beg to lay on the Table—

(1) A copy of the International Copyright (Second Amendment) Order, 1966, published in Notification No. S.O. 2227 in Gazette of India dated the 25th July, 1966, under section 43 of the Copyright Act, 1957.

(2) A statement showing reasons for delay in laying the above Notification. [*Placed in Library. See* No. LT-7070/66].

NOTIFICATION UNDER CUSTOMS ACT

Shri L. N. Mishra: I beg to lay on the Table a copy of Notification No. GSR. 1318 published in Gazette of India dated the 27th August, 1966, under section 159 of the Customs Act, 1962. [*Placed in Library. See* No. LT-7071/66].

NOTIFICATION UNDER KERALA WEIGHTS AND MEASURES (ENFORCEMENT) ACT

Shri C. R. Pattabhi Raman: On behalf of Shri Shafi Quareshi, I beg to lay on the Table a copy of Notification No. 46923-K2|65|RD published in Kerala Gazette dated the 2nd August, 1966, making certain amendments to the Kerala Weights and Measures (Enforcement) Rules, 1964, under sub-section (5) of section 43 of the Kerala Weights and Measures (Enforcement) Act, 1958, read with clause (c)(iv) of the Proclamation dated the 24th March, 1965, issued by the Vice-President, discharging the functions of the President, in relation to the State of Kerala. [*Placed in Library. See* No. LT-7072/66].

NOTIFICATIONS UNDER KERALA PANCHAYATS ACT

The Minister of State in the Ministry of Food, Agriculture, Community Development and Cooperation (Shri

(Shri Govinda Menon): On behalf of Shri Shinde, I beg to lay on the Table—

(1) A copy each of the following Notifications under sub-section (3) of section 130 of the Kerala Panchayats Act, 1960, read with clause (c)(iv) of the Proclamation dated the 24th March, 1965, issued by the Vice-President, discharging the functions of the President, in relation to the State of Kerala:—

(i) SRO. No. 165/66 published in Kerala Gazette dated the 19th April, 1966, making certain amendment to the Kerala Panchayats (Payment of Travelling Expenses from Panchayat Fund) Rules, 1963.

(ii) SRO. No. 213/66 published in Kerala Gazette dated the 31st May, 1966, making certain amendments to the Kerala Panchayats (Audit) Rules, 1963.

(iii) SRO. No. 217/66 published in Kerala Gazette dated the 31st May, 1966, making certain amendments to the Kerala Panchayats (Building Tax) Rules, 1963.

(iv) The Kerala Panchayats (Payment of conveyance allowance or sitting fees) Rules, 1966, published in Notification SRO. No. 239/66 in Kerala Gazette dated the 21st June, 1966.

(v) SRO. No. 241/66 published in Kerala Gazette dated the 28th June, 1966, making certain amendment to the Kerala Panchayats (Acquisition and transfer of immovable properties) Rules, 1963.

(2) A statement showing reasons for delay in laying the Notifications mentioned at (i) to (v) of item (1) above. [*Placed in Library. See* No. LT-7073/66].

NOTIFICATIONS UNDER KERALA PROHIBITION ACT AND ALL INDIA SERVICES ACT

The Deputy Minister in the Ministry of Home Affairs (Shri P. S. Naskar): On behalf of Shri Vidya Charan Shukla, I beg to lay on the Table—

(1) (i) A copy of Notification SRO. No. 136/66 published in Kerala Gazette dated the 30th March, 1966, under sub-section (3) of section 62 of the Kerala Prohibition Act, 1950, read with clause (c) (iv) of the Proclamation dated the 24th March, 1965, issued by the Vice-President, discharging the functions of the President, in relation to the State of Kerala.

(ii) A statement showing reasons for delay in laying the above Notification. [*Placed in Library. See* No. LT-7074/66].

(2) Notification No. SRO. 2525 published in Gazette of India dated the 27th August, 1966, under sub-section (2) of section 3 of the All India Services Act, 1951 constituting the Indian Forest Service with effect from the 1st July, 1966. [*Placed in Library. See* No. LT-7075/66].

Shri Hari Vishnu Kamath: On a point of clarification with regard to this item. Please refer to sub-item (2). This is a notification under section 3 of the All India Services Act constituting the Indian Forest Service with effect from the 1st July, 1966.

I am sure the House is glad that a new service has been constituted called the Indian Forest Service. But we must avoid any confusion in this regard, so far as the name of the service or the terminology is concerned. There is already the Indian Foreign Service, that is called the IFS, and the Indian Forest Service will also be called the IFS; in that case, both would be called IFS. I would, therefore, suggest this; I do not know whether it would be quite in order, but Government should consider this matter because there would be confusion if both are called IFS; I would, therefore, suggest that it might be called the Indian Jungle Service or the IJS; the word 'jungle' is a good Indian word. Otherwise, if it is possible, we

might call the Foreign Service as the Indian External Service. But if we call it the Indian External Service it will become IES, and the Education Minister may take exception to it because the Indian Educational Service will be confused with that. I think the best way out is to call the Indian Forest Service the Indian Jungle Service or IJS.

14.22 hrs.

COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS

MINUTES OF SITTINGS

Shri A. S. Alva (Mangalore): I beg to lay on the Table the Minutes of the Ninetieth to Ninety-fifth sittings of the Committee on Private Members' Bills and Resolutions held during the current session.

14.22½ hrs.

MESSAGE FROM RAJYA SABHA

Secretary: Sir, I have to report the following message received from the Secretary of Rajya Sabha:—

"In accordance with the provisions of rule 127 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to inform the Lok Sabha that the Rajya Sabha, at its sitting held on the 5th September, 1966, agreed without any amendment to the Punjab State Legislature (Delegation of Powers) Bill, 1966, which was passed by the Lok Sabha at its sitting held on the 1st September, 1966.".

14.23 hrs.

PUBLIC ACCOUNTS COMMITTEE

FIFTY-EIGHTH REPORT

Shri Morarka (Jhunjhunu): I beg to present the Fifty-eighth Report of the Public Accounts Committee on Appropriation Accounts (Civil), 1964-65 and Audit Report (Civil), 1966 relating to Departments of Atomic Energy, Aviation, Cabinet Secretariat and Ministries of Commerce and External Affairs.

14.23½ hrs.

COMMITTEE ON PUBLIC UNDERTAKINGS

THIRTY-SECOND REPORT

Shri K. N. Pande (Hata): I beg to present the Thirty-second Report of the Committee on Public Undertakings on the action taken by Government on the recommendations contained in the Forty-ninth Report of the Estimates Committee (Third Lok Sabha) on State Trading Corporation of India Limited.

14.24 hrs.

PRESENTATION OF PETITION

श्री मधु लिमये (मुंगेर) : उपभोक्ता मूल्य में वृद्धि किये बिना परचून मिट्टी का तेल बेचने वाले दूकानदारों को पांच पैसे प्रति लिटर की दर से कमिशन देने के बारे में श्री भवनजी रामजी गाला और अन्य व्यक्तियों द्वारा हस्ताक्षरित एक याचिका मैं पेश करता हूं।

Mr. Deputy-Speaker: He may place it on the Table of the House.

श्री मधु लिमये : इस पर 4,200 लोगों ने हस्ताक्षर किये हैं।

14.24½ hrs.

STATEMENT BY FINANCE MINISTER *RE*: ORR DIGNAM & COMPANY.

Mr. Deputy-Speaker: Now, the hon. Finance Minister.

The Minister of Finance (Shri Sachindra Chaudhuri): I beg to make a statement . . .

Shri S. M. Banerjee (Kanpur): What is this statement about?

Mr. Deputy-Speaker: Let him make the statement.

Shri Sachindra Chaudhuri: On the 1st September, in the course of supplementaries to starred question No. 781, the hon. Member Shri Madhu Limaye, placed on the Table of the House a certain document. . . .

श्री मधु लिमये (मुंगेर) : इसके बारे में मेरा एक प्वाइंट आफ आर्डर है...

Mr. Deputy-Speaker: How can the point of order arise? The hon. Speaker has already told him that he should make a statement, and he is making that statement now.

श्री मधु लिमये : मैं जानना चाहता हूं कि किस नियम के अन्दर यह बयान हो रहा है ? इसके ऊपर आने वाली कार्रवाई निर्भ करेगी। 372 एप्लाई नहीं होता है। इसलिये मेरा प्रश्न है। मैं कोई बाधा डालना नहीं चाहता हूं।

Mr. Deputy-Speaker: Does the hon. Member not want him to make that statement?

Shri Madhu Limaye: I want him to make the statement.

Mr. Deputy-Speaker: Let him make the statement. Then, he can raise the point of order.

श्री मधु लिमये : एक बात यह है कि 2 सितम्बर को अध्यक्ष महोदय ने कहा था कि मधु लिमये द्वारा जो बारह प्रश्न मेरे पास भेज दिये गये हैं वे मैंने मंत्री जी के पास भेज दिये हैं और उसके बाद मंत्री जी बयान देंगे। मैं विनती करता हूं कि उन प्रश्नों को मुझे आप टेबल पर रखने की अनुमति दे दें। मैं समय नहीं लेता हूं। अगर आप चाहें तो मैं पढ़ देता हूं। बयान उसी पर आएगा। ये मैं आपकी जानकारी के लिये रख रहा हूं। मैं पढ़ नहीं रहा हूं। अगर आप मुझे ऐसा करने की इजाजत नहीं देते हैं तो 372 के मातहत यह नहीं हो सकता है।

Shri S. M. Banerjee: This statement can only come under Direction 115 and not under rule 372.

Shri Sezhiyan (Perambalur): Let him place on the Table of the House all the questions because we would also like to know what questions the hon. Minister is answering.

Mr. Deputy-Speaker: I am sorry. The hon. Member is making a wrong statement. The Speaker has not permitted that. I have got the note here before me and I have read it. I am sorry.

श्री मधु लिमये : यह कार्रवाई और पत्र अलग चीजें हैं। यह तारांकित प्रश्न से निकला था। वह पत्र है। प्रश्न उसी में थे, मैं डीवेट्स की रेफरेंस दे रहा था।

Mr. Deputy-Speaker: You cannot lay it on the Table.

श्री मधु लिमये : आप रूल्ज आफ प्रोसीड्यूर के अनुसार चलिये।

Mr. Deputy-Speaker: You are an intelligent man, you know the rules, there are specific rules to raise questions in this House, then their relevancy and admissibility have to be considered by the office, and then only we can ask the Finance Minister to make a reply. You cannot send half a dozen questions, in fact you have sent a dozen questions, so they do not arise now.

Shri Madhu Limaye: They are in the form of a statement.

Mr. Deputy-Speaker: You may take recourse to asking questions. If they are admissible, they will be admitted.

Let him make the statement now.

श्री मधु लिमये : मैं समय बचाने के लिये इसको टेबल पर रख रहा हूं। आप 2

तारीख की डीबेट्स को देखिये, जबकि स्पीकर साहब ने कहा था :

"*Mr. Speaker*: Mr. Madhu Limaye had given another 12 questions, and I have sent them to the Minister. He will be making that statement after Question Hour day after tomorrow".

उनको समय बढ़ा कर जो 5 तारीख को, यानी आज, अवसर दिया गया है, वह केवल इसलिये कि वह मेरे बयान और प्रश्नों पर विचार करें। इसलिये या तो मैं इसको पढ़ूंगा, या आप इसको टेबल पर रखने दीजिये। अगर समय बचाना है, तो इसको टेबल पर रखने दीजिये, नहीं तो माननीय सदस्य मंत्री महोदय के बयान का अर्थ कैसे समझेंगे ?

Shri Sezhiyan: We want to know what the questions are.

Mr. Deputy-Speaker: They do not arise now. The Minister will make the statement.

Shri S. M. Banerjee: I want your ruling on one point. You are allowing this statement to be made, I hope under rule 372 of the rules of procedure. This says:

"A statement may be made by a Minister on a matter of public importance with the consent of the Speaker but no question shall be asked at the time the statement is made."

Am I correct?

Shri Tyagi (Dehra Dun): This is a statement in response to a question.

श्री मधु लिमये : यही तो मैं कहना चाहता हूं।

Shri Sezhiyan: On a point of order.

Shri S. M. Banerjee: I refer you to Direction 115 by the Speaker, where it is said:

"(2) The member may place before the Speaker such evidence as he may have in support of his allegation."

A starred question was before the House, and while replying to supplementaries on the starred question, certain information was required by Mr. Limaye and others, and certain questions were put which were replied to by Mr. Sachindra Chaudhuri. During the Question Hour certain allegations were made.

Shri Madhu Limaye: No allegations. They are true.

Shri S. M. Banerjee: And then certain certified copies were placed on the Table of the House. So, my submission is that if an opportunity is given to the hon. Minister to make a statement *suo motu* under rule 372, it precludes the hon. Member who had the courage and conviction to place certain documents from putting any question. I know that deliberately and willfully this statement is being made on the last day of the session so as to prevent questions. You should allow it under Direction 115. Let the Minister make the statement. Direction 115(3) states:

"The Speaker may, if he thinks fit, bring the matter to the notice of the Minister . . ."

The Speaker in his wisdom brought it to the notice of the hon. Minister that certain allegations were made, and the Minister was asked to make some correction or correct his own statement or place more facts or refute the allegations of Mr. Limaye. The Direction says:

"The Speaker may, if he thinks fit, bring the matter to the notice of the Minister or the member concerned, for the purpose of ascertaining the factual position in regard to the allegation made."

[Shri S. M. Banerjee]

"The Speaker may then, if he thinks it necessary, permit the member who made the allegation to raise the matter in the House and the member so permitted shall, before making the statement, inform the Minister or the member concerned."

"The Minister or the member concerned may make a statement in reply with the permission of the Speaker . . ."

What I submit for your ruling is this. You may kindly give a ruling on this. Mr. Limaye raised very pertinent questions, a set of 12 questions, and I have got about 15 questions which relevantly I should ask the hon. Minister for getting certain clarifications and eliciting the truth, and I am precluded from that because of rule 372. Direction 115 of the Speaker is the proper rule, and it is sacrosanct. A Member may have said something, and if the Minister wants to make a statement refuting the allegations or make counter-charges, he may do it.

I invite your attention to the incident in which Mr. Bagri made certain allegations against Mr. Humayun Kabir and produced some documents which were later on found to be factually wrong, and the Speaker directed Mr. Kabir to make a statement. Fortunately or unfortunately Mr. Bagri was absent on that day. We raised this question that the Member concerned, Mr. Bagri, should be present when the statement was made by Mr. Kabir, and it was postponed to the next day and the hon. Minister was asked to make his statement only when Mr. Bagri was present.

So, I appeal to your sense of justice to permit this under Direction 115. Otherwise, you will be setting up a bad precedent before this House.

Mr. Deputy-Speaker: Have you got to say anything?

श्री मधु लिमये : मैं यह कहना चाहता हूं कि यह बयान नियम 372 के मातहत नहीं है ।

This statement arises out of certain observations made by the hon. Speaker. This cannot be made under rule 372.

इस लिये आप मुझे यह प्रश्नावली मेज पर रखने दें ।

Shri S. M. Banerjee: This is not a statement on the flood situation or the food situation.

Shri Sezhiyan: If the Minister is replying to the questions, the House wants to know what those questions are. We cannot be kept in the dark. Therefore, we want those questions to be placed on the Table of the House.

Mr. Deputy-Speaker: Direction 115 reads like this:

"(1) A member wishing to point out any mistake or inaccuracy in a statement made by a Minister or any other member shall, before referring to the matter in the House, write to the Speaker pointing out the particulars of the mistake or inaccuracy and seek his permission to raise the matter in the House.

(2) The member may place before the Speaker such evidence . . ."

No Member has given any evidence under Direction 115. This is a statement under rule 372, and no questions will be allowed.

Shri Madhu Limaye: It cannot be under rule 372.

Shri S. M. Banerjee: Read the whole thing. You have read only a part.

Shri H. N. Mukerjee (Calcutta Central): May I make a suggestion that it is in the interests of the Minister, it is in the interests of the Government, in the interests of clean administration and honest politics that we get a statement which clarifies many questions that appear to have arisen. The Minister is making a statement because exception was taken to certain matters which cropped up in the course of that question and answer. After that happened, Mr. Limaye got some information, and some of us also get some information,

right or wrong I do not know, and on the basis of that Mr. Limaye had brought a list of 12 questions to the notice of the Speaker and the Speaker intimated to him that the substance of those questions would be communicated to the Minister, and I am wishing, I am hoping, that the Minister has taken notice of those questions and is also answering them, but our difficulty is that Members of Parliament do not happen to know what the questions are which the Minister is answering. I take it that the Minister is answering those questions because, if he is not, then this miasma of suspicion will unnecessarily continue in public life. We want that to be removed. It is in the interests of the Government, in the interests of clean administration. From that point of view, whatever may be the inhibiting nature of the rule in question, it is necessary that substantially these questions are answered by the Minister, because he should have got notice of it according to the direction of the Speaker, as Mr. Limaye reports, and the House has a right also to know what those questions were which the Minister is answering.

श्री मधु लिमये : क्या वित्त मंत्री का इस के मेज पर रखे जाने के बारे में विरोध है ?

Shri Hari Vishnu Kamath (Hoshangabad): On a point of order. I would invite your attention to this rule and implore you to scan it very carefully. Please do see that this rule 372 which you have cited is incorporated in Chapter XXVII which is captioned "General Procedure". I am sure you will recollect that this matter which the Finance Minister is at present going to deal with arose out of a question originally, initially, out of a starred question. Supplementaries were put to the main answer and in the course of the supplementary question put by my hon. friend Shri Limaye, he read out a letter from the Secretary of his Ministry, Mr. R. C. Dutt. I hope my memory serves me right. At this stage the proceedings were interrupted, rightly so, because it was a serious matter that came up before the House. Therefore, to invoke a rule which is part of the general rules of procedure while there are specific rules dealing with questions and matters arising there from which are dealt with in a separate chapter, which come under a chapter captioned 'questions and short notice questions' is not proper. The Speaker has, rightly, held from time to time that when there is a specific provision for a particular matter, no general provision can be invoked. I suppose you agree with it. Can I take it that you agree with that position?

Mr. Deputy-Speaker: You can go on.

Shri Hari Vishnu Kamath: You agree; so far so good. When there is a specific provision for a particular matter, no general provision can be invoked. Now, Chapter XXVII is captioned general rules of procedure and rule 372 comes under this chapter while specific provisions relating to questions are given under chapter VII. So, this chapter XXVII is wholly out of place and rule 372 cannot therefore be invoked by the Minister; nor will you be right in supporting the Minister if he chose to do so.

The relevant rules in this case come under chapter VII and I request you to study it carefully; if not immediately, you may take half an hour's time. We may proceed with the other business and may take this up after half an hour. That would be helpful to you and to the House. I would leave it to you to study these rules on questions very carefully and also the relevant directions by the Speaker because it is this chapter and these are the rules that apply to the present case. The hon. Minister on that day, if I remember aright, said that he had known Mr. B. P. Ray for years and years. Later on he made matters worse by saying that he had received briefs from them for 30 or 40 years.

Mr. Deputy-Speaker: All that is not relevant.

Shri Hari Vishnu Kamath: It is all on record. Now, there was no matter of public importance in that. It is at the most a matter of private importance, as between a Minister and his friend or the firm, whoever it was, Orr Dignam and Company. How can you by any stretch of the imagination bring in rule 372? I know you have got good imagination. I have no doubt on that point.

Shri Joachim Alva (Kanara): It is mandatory.

Shri Hari Vishnu Kamath: Do you know the meaning of the word mandatory? This rule says that a statement may be made by a Minister on a matter of public importance. Can you, Sir, in all conscience say that this matter is a matter of public importance. It may be 'public importance' in some other sense but in terms of the rule is it so? Flood situation, food situation, corruption in public services—yes, it is public importance and statements are made here. But here the Minister said: I have known him for many years; I have received briefs; I know he is a good man. Now, Sir, I quoted rule 41 that day and the Speaker partly upheld me. You are in the Chair and you may even now look up rule 41. Please see rule 41. I will read out the relevant portion. When the Finance Minister rose to make that statement and give his opinion about the person and said about that company that it was a good company, I read out items (iv) and (v) of sub-rule (2) of Rule 41 and I said what applies to a Member who puts questions app'ies, *ipso facto*, if not a *fortiori*, equally if not with greater force, to a Minister. There cannot be two standards, one for the Minister and one for the Member one sauce for the goose and another for the gander. The rule says that it shall not ask for an expression of opinion or the solution of an abstract legal question or of a hypothetical proposition. The most important rule is that the question shall not ask as to the character or conduct of any person except in his official or public capacity. What happened that day? I think you were down below in your seat, listening to the proceedings. He said: I have known him in my personal, private capacity, in my personal relationship. I am now coming to the last stage. Out of that a situation has arisen. He is going to make a statement. That was not about the character and conduct of a person in his official public capacity but in his private capacity, not as Minister. Now, therefore, he cannot claim protection or right under rule 372. That is the essense of the argument. Even if he makes a statement ultimately, if you do allow him to make a statement, questions should be allowed because it arose as a part of the question; it was part of the question. That is the grand finale to my argument. It was a starred question and therefore we go back to the stage at which that question was left, and if he does make a statement it should be regarded as a continuation of the answer of the Minister to the supplementary question of the Member.

Mr. Deputy-Speaker: All that the Speaker had said on that day was that certain doubts had been raised and naturally they arose from the statements that were made that probably some interference was made in the process of proceedings or enquiries that were made and the Minister should make a full statement on the events that had happened and that the Finance Minister might be informed that he should make a statement on Monday.

श्री मधु लिमये : तो सोमवार को क्यों नहीं किया ?

Shrimati Renu Chakravartty (Barrackpore): There was a very clear decision. Mr. Limaye had written to the Speaker saying he wanted to ask

these supplementary questions. He had given notice of it, even at that stage. The Speaker wrote back to him saying: I am forwarding these things to the Minister. He did not at all tell him that the whole statement was going to be made under rule 372. The very fact that he had asked those questions, the very fact that he permitted him to clarify them and also the fact that he had told the Speaker that he would ask these questions shows that rule 372 could not be invoked.

Mr. Deputy-Speaker: I am sorry; notice should be given under rule 115. No notice has been given.

श्री मधु लिमये : यह प्रश्न स्टेटमट की शक्ल में है उपाध्यक्ष महोदय ।

Shrimati Renu Chakravartty: This is only an extension of the question hour.

Mr. Deputy-Speaker: I do not know whether the Minister is answering those questions. I have not heard the statement yet.

श्री मधु लिमये : उनको आपत्ति नहीं है । He has no objection.

Mr. Deputy-Speaker: Has the Minister no objection?

Shri Sachindra Chaudhuri: I have objection, unless the rules permit it.

Mr. Deputy-Speaker: The hon. Finance Minister.

Shri Sezhiyan: The rules permit it, Sir.

Shri Sachindra Chaudhuri: I certainly object to anything being placed on the Table about this. That will be most embarrassing to me.

Shrimati Renu Chakravartty: Why should he get angry about it?

Shri S. M. Banerjee: Why should he be angry?

Shri Sachindra Chaudhuri: Every body could raise his voice in this House. I cannot. (*Interruption*).

Shri S. M. Banerjee: He can.

Mr. Deputy-Speaker: Order, order. The Finance Minister.

Shri Sachindra Chaudhuri: Sir, on the 1st September in course of supplementaries to Starred Question No. 781 an hon. Member, Shri Madhu Limaye, placed on the Table of the House certain documents. This he described as a letter from my Secretary. Shri Madhu Limaye stated:

"आर० सं० दत्त की चिटठी है । अगर वित्त मंत्री ने नहीं पढ़ी तो उनकी खिदमत में उनके सेक्रेटरी की चिट्ठी मैं पेश करना चाहता हूं ।"

This statement was incorrect and misleading. In fact the document was a copy of a note recorded by the Secretary, Revenue and Insurance on the 24th February, 1966 marked to another senior officer of the Department, namely, the Director of Enforcement for his information and action. It was not a letter. It was a departmental note not addressed to any outsider and I am not aware how it came into possession of any third person. The note of my Secretary was recorded after discussion with me, though the language was his own, I saw this note subsequently after action had been taken on it by the Director, Enforcement.

In exercising powers conferred by Statutes a distinction must be drawn between judicial and quasi-judicial powers on the one hand, and administrative powers on the other. In respect of the former the power is to be exercised by those on whom they are conferred without any intervention by the Executive Government except as provided by law. Powers of searches and seizures are not judicial or quasi-judicial powers. They are preliminary administrative pro-

[Shri Sachindra Chaudhuri]

cesses which impinge on the liberty of the individual and may seriously affect his reputation. It is the duty of the Executive Government to ensure that such powers are exercised with due caution and objectivity and Ministers are responsible to Parliament and citizens for the manner in which such powers are exercised. To enable Ministers to discharge this responsibility they must be allowed to and it is their duty to exercise supervision over the officers who exercise such powers. I am sure the House will agree that unfettered exercise of such powers of searches and seizures by officers of Government would be contrary to good government and the democratic principles upon which the Government of this country has been based and built. Parliament entrusts this democratic control to Ministers.

In exercising such supervision and control, a Minister must necessarily use his discretion, and to deny a Minister the right to exercise such discretion would, I submit, amount to conferring unfettered powers on certain functionaries of Government. Such control and supervision have always been exercised by Ministers and there have been cases in the past where after searches have been conducted of premises or possessions of individuals, Government on being satisfied of the circumstances of the cases, expressed regret to the parties concerned where such searches were unjustified or unnecessary. This is proper for where individuals have suffered on account of undue exercise of such powers it is proper that Government should make amends to the extent possible.

Now I come to the facts of the present case. On the 11th February, 1966 the office premises of Messrs Orr Dignam & Company, Solicitors of Calcutta, and the residential premises of two senior partners of the firm, Messrs H. J. Silverston and B. P. Ray, were searched by officers of the Enforcement Directorate with the assistance of some customs officers. I had no knowledge of these searches before they were conducted and concluded and there was no question of my interfering with the searches. A few days later, one of the senior partners of Messrs Orr Dignam & Company, Shri B. P. Ray came to Delhi and complained both to my Secretary and to me that the searches were illegal, unwarranted, unjustified and had been initiated *mala fide* at the instance of parties interested in certain contentious issues. I asked Shri Ray to let me have the confirmation of his complaints in writing. This he did on behalf of his firm. I place a copy of the letter along with copies of the enclosures on the Table of the House.

An enquiry was made about the complaint and it revealed that the search at the residence of Shri B. P. Ray had yielded no incriminating material. It was also found that the searches had been conducted on information supplied by an individual with some interest in certain contentious matters in which Messrs. Orr Dignam & Company was acting as Solicitor for one of the parties. On consideration of the then available information, I came to the conclusion that there was no justification for the searches of the residence of Shri B. P. Ray. I, therefore, instructed my Secretary to ask the Enforcement Directorate to write to Shri B. P. Ray expressing regret at the inconvenience caused to him. On consideration of the circumstances I felt it was necessary to call for the papers seized from the office of Messrs Orr Dignam & Company and from the residential premises of Mr. Silverston, as well as to get the explanations of the Deputy Director, Enforcement and the Additional Collector, Customs, to satisfy myself what steps should be taken after the other searches. On consideration of all such materials subsequently received, I came to the conclusion that though contrary to information received nothing incriminating had been found at the residence of Shri B. P. Ray and that, therefore, the search of his residence was a matter of regret, the searches were not illegal, unwarranted, unjustified

or *mala fide* as contended by Messrs Orr Dignam & Company. I came to the further conclusion that the proceedings against the firm should continue. My secretary replied accordingly to Messrs Orr Dignam & Company on the 5th March, 1966. A copy of this letter is placed on the Table of the House. [*Placed in Library.* See No. LT-7077/66]. The proceedings are still in progress.

I submit that the facts narrated clearly indicate that there has been no interference with the processes of law. It is also not correct that I had acted in this case on the basis of my subjective impressions, as had been suggested by one hon. Member. On the contrary, on the basis of a complaint of alleged misuse of powers of search, there has been a careful scrutiny of the facts and circumstances of the case in accordance with the normal practice of the Ministry, and while regret has been expressed for a search which was unnecessary, the case has been proceeded with on the basis of the results of the rials?

श्री मधु लिमये : उपाध्यक्ष महोदय, मैं प्रश्न पूछना चाहता हूं ।

Mr. Deputy-Speaker: I am not allowing any supplementary question. I have read rule 372.

श्री मधु लिमये : क्यों इजाजत नहीं दे रहे हैं । (व्यवधान)

Shri Kapur Singh (Ludhiana): It is our right, Sir, to ask a few questions by way of clarification?

श्री मधु लिमये : मेरा प्वाइन्ट आफ आर्डर है, स्पष्टीकरण मांगने का मेरा पूरा अधिकार है ।

Mr. Deputy-Speaker: Order, order. I am not allowing any questions now.

Shri Kapur Singh: No one wants to ask questions. We want to ask a clarification. They are two different things.

Mr. Deputy-Speaker: If I permit one Member, then I will have to permit every other Member.

श्री मधु लिमये : उपाध्यक्ष महोदय, स्पष्टीकरण मांगने का मेरा पूरा अधिकार है । आप सब नियमों को तोड़ रहे हैं, संविधान की धारा को तोड़ रहे हैं ।

Mr. Deputy-Speaker: One or two, I can allow. I will allow only a few questions for clarification.

श्री मधु लिमये : मैं केवल स्पष्टीकरण चाहता हूं ।

Mr. Deputy-Speaker: Only a clarification.

श्री मधु लिमये : आपने कहा कि एक प्रश्न पूछ सकता हूं, अतः मेरा प्रश्न इस प्रकार है—

At the point of time when the note of Mr. R. C. Dutt to the Enforcement Directorate came to be written, had the documents seized from the premises of Orr Dignam & Co. been seen by the Finance Minister or the Finance Secretary? Obviously not, as is evident from the note itself which calls for these documents. How then did the Minister and the Secretary come to the conclusion that the documents seized in the office premises of Orr Dignam & Co. do not justify the search which has been conducted in this office? Will the Minister, on the basis of his not inconsiderable legal experience, state whether it was proper to arrive at the conclusion he did without studying the relevant materials?

Shri Sachindra Chaudhuri: That is a matter of opinion that he is asking me. He is asking me to give my legal opinion. I refuse to do it.

श्री मधु लिमये : ओपीनियन नहीं, आपको कुछ अकल भी होनी चाहिये । न इन में आत्म-सम्मान रहा है न शर्म । इसलिए मैं अपना काम्पलीमेंट वापस लेता हूं ।

Shri S. M. Banerjee: We want a clarification.

Mr. Deputy-Speaker: Clarification may be for information; not opinion.

Shri Surendranath Dwivedy: He wants information.

श्री मधु लिमये : अगर मैं ये १२ प्रश्न पूछता, तो एक भी नहीं काट सकते थे, पहले प्रश्न में ही खत्म हो गया। कुछ शर्म आनी चाहिये, कुछ सम्मान होना चाहिये।

Shri H. N. Mukerjee: When the hon. Member asks a question, the Minister parries. (*Interruption*). I am not asking any question. You, as Deputy-Speaker, permitted Mr. Limaye to ask a clarificatory question, rightly or wrongly, I do not know. But the Minister, instead of answering it objectively parried it by referring to the last portion of the question, which was not part of the objective element in his question. The question was, did he consider the report of the search before passing this order? He has not answered it. I want him to reply to this question so as to enable the House to give him a good chit. (*Interruptions*).

श्री मधु लिमये : ओर डिग्नम उन को पैसे से खरीद लेता है।

Shri H. N. Mukerjee: If the Minister refuses to answer a question about the morality of the administration, to hell with this administration; to hell with these Ministers.

Shri Kapur Singh *rose*—

Mr. Deputy-Speaker: Shri Limaye.

Shri Kapur Singh: I have stood up 17 times since this morning and you have not allowed me to speak. If you do not want to identify me, I will walk out.

Mr. Deputy-Speaker: I will call him.

श्री मधु लिमये : मेरे प्रश्न का उत्तर आना चाहिये। मैं लीगल ओपीनियन नहीं मांग रहा हूं। मुझे उनकी लीगल ओपीनियन की जरूरत नहीं है। वह दो कौडी की है। वह खरीदी जाती है। मैं जानकारी चाहता हूं कि How then did the Minister and his Secretary come to the conclusion that the documents seized in the office premises of Orr Dignam and Company do not justify the search which has been conducted in this office?

आप ने मैटिरियल देखा नहीं था, फिर इस निष्कर्ष पर कैसे पहुंचे मैं यह जानना चाहता हूं। आप की लीगल ओपीनियन की वैल्यू मेरे लिये दो कौडी की भी नहीं है।...

(व्यवधान)

Mr. Deputy-Speaker: In his statement, he has already stated that there was nothing incriminating which was found.

Shri Vasudevan Nair (Ambalapuzha): The impression should not be created that the Chair is not allowing facts to be elicited.

Mr. Deputy-Speaker: He has already said that nothing incriminating was found.

Shri Surendranath Dwivedy (Kendrapara): He also said that proceedings are going on against this firm. The relevant question is, did he go into the reports of the search and then pass this order?

Mr. Deputy-Speaker: Did you go into the documents? You can say yes or no.

Shri Sachindra Chaudhuri: I will have to explain again. (*Interruptions*). The search took place on the 11th February, 1966 and documents were seized in the office of Messrs Orr Dignam and Company. After that, the Director contacted the Calcutta office on telephone, on the 11th or thereafter, and having contacted the Calcutta office on the telephone, he had been informed about the documents seized in the office of Orr Dignam and Company and what was the substance of those documents. The opinion I formed was based on what has been informed to me by the Director and my Secretary about their conversation with Calcutta.

Shri Madhu Limaye: You asked whether he has studied the material and the documents. (*Interruptions*).

उसका जवाब आना चाहिये ।

Mr. Deputy-Speaker: Order, order. Shri Hem Barua.

Shri Hem Barua (Gauhati): May I draw the attention of the Finance Minister to section 19 (d) (1) of the Foreign Exchange Regulation Act, 1947, which reads as follows:

> "If an officer of enforcement not below the rank of Assistant Director of Enforcement has reason to believe that any documents which in his opinion will be useful for or relevant to any proceeding under this Act, are secreted in any place, he may authorise any officer of Enforcement to search for and seize or may himself search for and seize such documents."

If his attention has been drawn to this, while asking his Secretary to ask the Director of Enforcement to express regret to Mr. Ray, a partner of Messrs Orr Dignam and Company because no incriminating document was found with him, may I know whether Government have made it a special case or Government propose to offer apology or regret to any party whose premises or office is searched and nothing incriminating is found? If so, may I know whether this is going to be extended to those people who have been arrested under DIR, as some people were arrested under DIR during the Pakistani aggression simply because they are Muslims and nothing could be established against them? Are you going to express regret to them?

Mr. Deputy-Speaker: It does not arise out of this.

Shri Hem Barua: At least this question can be answered as to whether this has been made a special case or it is going to be a policy with the Government to express regret to all those whose premises or offices are searched and nothing incriminating is found?

Shri Kapur Singh: The hon. Minister must have guessed by now that what we really want to know is whether the letter of regret which was sent to a certain party has been made an exception or a practice. This is the question over which this side of the House feels concerned. I, therefore, would like to know whether in a particular case—it was mentioned by the Minister himself on the floor of the House—the case of Messrs Chaman Lal and Company whose premises were searched on the allegation that they had been sending some illicit black pepper to Kabul, now that the Government has come to the conclusion after enquiry that the allegation was wholly false and baseless, whether they have in this case also communicated their regrets to the aggrieved firm.

Mr. Deputy-Speaker: It is not relevant.

Shri Kapur Singh: From this we will know whether it is a practice or exception. It is very relevant.

Shri Ranga (Chittoor): It contains two parts. One refers to Messrs Chaman Lal and Company.

Mr. Deputy-Speaker: We are not concerned with Messrs Chaman Lal.

Shri Ranga: The other part is whether there had been precedents before and whether Government would make is a practice to see that people are not unnecessarily harassed; insulted and blackmailed and whenever they find that there is no incriminating evidence or anything like that, they would make it a policy and practice to express regret.

15 hrs.

Shri Sachindra Chaudhuri: Sir, I can answer only one question at a time. If you will permit me, Sir, I will answer this question. As I have al-

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ready said in the written statement that I have made, there have been cases in my own Ministry where letters of regret have been sent out. Whenever the case justifies certainly it is done.

Shrimati Renu Chakravartty: Sir, we are worried because it is so difficult to find out black money. It is from that point of view that we are asking these questions. It is very clear from the Foreign Exchange (Regulations) Act, that nothing shall lie against any officer who does anything in good faith or who intends to do it in good faith under this Act. If that is the position, if in the Orr Dignam Company's case incriminating things were found in Mr. Silverston's residence, one of the directors—about Mr. B. P. Ray, another director, sufficient information was there but for some reason or the other nothing was found—if we allow that officers are made to apologise when they conduct searches for these evaded things, will it not completely undermine their effort and sap the morale of the services who are doing this difficult job (*Interruptions*)?

Shri Sachindra Chaudhuri: This is a matter where the hon. lady Member is seeking my opinion. I have said that I can answer questions which do not seek my opinion, but since she has asked me to give my opinion I will answer her. In this particular case there was no apology offered by the particular officers who were concerned. The authorised officers did not make the apology.

Shri Surendranath Dwivedy: You asked them to explain their conduct.

Shri Sachindra Chaudhuri: I asked them to explain to me, for the information of myself. The hon. lady Member is right in saying that there is a provision in the Act that no proceedings will be taken for things done in good faith. At the same time, no proceedings have been taken against them at all. I as the administrative head, I hope, am entitled to find out whether the administration of the law, the administration of the Government, is properly conducted or not. To that purpose I am entitled to find out what the things are. I am entitled to form some opinion. I may be wrong. I do not say that I am correct. I have to ask somebody who is responsible to me, as I am responsible to this Parliament and to the country, to tell me in their own terms whether or not my understanding is right or wrong. That is the reason why I asked him. No punishment was given, no steps were taken, no prosecution was launched. Nothing of the kind was done.

Shri Surendranath Dwivedy: The officers have done a creditable job.

Shri Sachindra Chaudhuri: So far as the other thing is concerned, as to whether there should or should not be, undoubtedly, I have got to balance between the need of the country to pursue every person who is an evader of the law in the matter of evasion of tax and so on and also, at the same time, see that every citizen has got a right to have himself held inviolable when he has not done anything wrong. Therefore, while it is the intention of this Government to see that no wrongdoer, whatever his position may be, shall be spared the utmost rigour of the law, at the same time, it is also my concern to see that no person, no innocent person shall suffer. There may be a difference of opinion between me and my hon. friends opposite as to how that is to be done, but I believe this Government is not a God of wrath, but is also a God of justice if not clemency.

Some hon. Members *rose*—

Shri S. M. Banerjee: Sir, I rise to a point of order.

Mr. Deputy-Speaker: No point of

15.05 hrs.

RE: FUTURE OF MANAGING AGENCY SYSTEM

Mr. Deputy-Speaker: A statement regarding future of the managing agency system was laid on the Table on the 5th. If any hon. Member wants to put any question, I can allow that.

Shri S. M. Banerjee (Kanpur): Sir, I rise on a point of order. Kindly hear me.

Mr. Deputy-Speaker: I am not allowing any point of order. A statement has been laid on the Table yesterday. If you want to ask any question, you may do so.

Shri S. M. Banerjee: Sir, before you proceed with that....

Mr. Deputy-Speaker: I cannot allow anything else now. If you want to put any question on this you may do so.

Shri Bade (Khargone): Sir, I wanted to raise a point of order on what Shri Hem Barua said. He said that Muslims were arrested simply because they were Muslims. That should be expunged.

Mr. Deputy-Speaker: That is a different matter. It does not arise now. I am on the statement regarding managing agency system. Do you want to ask any questions?

Shri S. M. Banerjee: Sir, kindly hear my point of order.

Mr. Deputy-Speaker: I am not allowing. Let us proceed to the next item.

Shri S. M. Banerjee: Are you going to throw the entire rules to the wind? It is better that you ask us to go away.

Mr. Deputy-Speaker: Order, order. Shri Gopalan may make his statement under Direction 115.

Shri S. M. Banerjee: Sir, I rise to a point of order.

Mr. Deputy-Speaker: I do not allow any point of order.

Shri S. M. Banerjee: Under what rule are you not allowing?

Mr. Deputy-Speaker: There is no point of order.

Shri S. M. Banerjee: There is a point of order. How can you say without hearing me?

Shri Bade: Sir, you said that you will allow each party to put one question.

Mr. Deputy-Speaker: I did not say that. I say that only two questions will be allowed and I allowed four.

Shri S. M. Banerjee: You have allowed four? I have been asking you to allow me. Sir, this is most unfair.

Mr. Deputy-Speaker: You are obstructing the proceedings of the House; please sit down.

Shri S. M. Banerjee: It is no use having this Parliament.

Shri Bade: Sir, today you are not impartial (*Interruptions*).

Mr. Deputy-Speaker: Order, order. You are an experienced lawyer, Shri Bade. I am not allowing any more questions now. (*Interruptions*).

15.07 hrs.

STATEMENT BY MEMBER UNDER DIRECTION 115 AND REPLY BY MINISTER THERETO *RE*: COCHIN SHIPYARD

Shri A. K. Gopalan (Kasargod): Sir, this is to draw your kind attention to a recent occurrence, wherein, while one Minister in the Government, would not divulge an information to the House, another Minister in the same Government would immediately after, divulge the information to the Press outside the House.

On 9-8-1966, there was half-hour discussion in the House on matters arising out of the Short Notice ques-

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tion on Cochin Shipyard. During the discussion, I put a specific question to the Minister whether any allocations have been made in the IV Plan towards the construction of the Shipyard in Cochin. Some other members asked whether the project has been included in the IV Plan and whether any foreign exchange allocations have also been made. My question from the record of the proceedings reads as follows:

> "*Shri A. K. Gopalan*: I hope the hon. Minister will give definite replies as far as the three questions are concerned, namely, whether any money has been set apart the Fourth Five Year Plan, whether as far as foreign exchange is concerned, priority will be given and whether we are going to have shipyard or boatyard."

Minister of State for Transport and Civil Aviation, Shri Poonacha stated that, the decision on allocations, etc., will be made only after the project report, etc., are examined by the Government and decision is taken on it.

The relevant portion of his reply, as quoted in the Lok Sabha debate (uncorrected version) reads:

> "It is only in April that we received the project report and the project report is under consideration of the Government, as was mentioned earlier, and we will have the technical Committee's report. Immediately after that the necessary steps will be taken to allocate the required sums of money and take up the work".

It is clear that according to the Minister, no allocations have been made so far, and that has to wait till after a decision is reached on the report.

The Minister for Transport and Civil Aviation, during the same discussion told the House clearly, that the House could know whether the project has been included in the IV Plan, and whether allocations have been made in the IV Plan towards this project, only after the Plan is is placed before the House for discussion, and that he himself has not seen the Plan.

The relevant portion of his reply, as quoted from the Lok Sabha Debates (uncorrected version) reads as follows:

> "A specific question was asked by my hon. friend, Shri Vasudevan Nair, whether we will be able to announce it soon and whether the Planning Commission has included it in this plan. We have not ourselves seen the final draft till now. It is going to be discussed perhaps in the coming two or three weeks, on the 20th or 21st or so. It will be discussed at the National Development Council."

Further on he says:

> "..while the House, is continuing its sittings, the Fourth Plan report will be there and it will become public property."

These statements were made on August 8, 1966 on the floor of the House.

Thus while the House was asked to await the decision of the Government, await the decision of the National Development Council, and latter await the submission of the IV Plan draft to the House, when alone it could know whether the project has been included in the Fourth Plan and as to whether any allocations have been made for the shipyard in Cochin, Shri P. Govinda Menon, Minister of State for Food and Agriculture, Government of India is reported to have told the press in Ernakulam on August 11, 1966 that the ship building project has been included in the Fourth Plan, and the allocations have already been made in the Fourth Plan for the construction of the shipyard in Cochin. What he stated to the Press at Ernakulam, as reproduced in the widely circulated Malayam Daily "*Malayalam*

Manorama" is given below:

HEADLINE: "Ship building Centre is included in the IV Plan: All news to the contrary are wrong says Panampalli."

1st Para "Ernakulam August 11:— Sri Panampalli Govinda Menon, Minister of State for Food in the Central Government, declared here today that there is no basis for any apprehension about the question of establishing a shipbuilding yard in Cochin; he also declared, that allocations have already been made in the Fourth Plan for the purpose."

In these circumstances, either what the Minister of State for Food has stated is true, in which case, this important fact was not only deliberately suppressed from the House, but also the House was misled by the Minister of Transport, into believing that the decision on the report and allocation on the shipyard were not made. It was also highly improper on the part of the Food Minister of State to announce in the Press, an information, which the House was told that it would be entitled to only after the publication of the Fourth Plan.

In the alternative, if the statement made on the floor of this House by the Minister of Transport and Aviation is true, then the statement of the Minister of State for Food and Agriculture is misleading.

Under these circumstances, I strongly feel that the House is entitled to get a clarificatory statement from the Minister of State for Food and Agriculture, Shri P. Govinda Menon and from the Minister of Transport and Aviaion, Shri Sanjiva Reddy.

The Minister of State in the Ministry of Transport and Aviation (Shri C. M. Poonacha): Sir, I made two observations on the Floor of the House on 9th August, 1966, namely:—

"(i) Immediately after the Technical Committee has submitted its report on the soil survey and the project, further necessary steps will be taken to allocate the required sums of money and take up the work.

(ii) The fact whether the Second Shipyard Project was finally and definitely in the Fourth Plan could only be known when the overall Fourth Plan was approved by the Government and placed before the House."

It is submitted that both the aforesaid statements are true in fact. No sum of money had been allocated for the construction as such of the Second Shipyard Project in the Fourth Plan. This was because the Fourth Plan itself had not been finalised and as stated by the Transport Minister, Shri Sanjiva Reddy, and myself, after the plan had been approved by the National Development Council and the Government it was to be placed before the House in its final stage. Thus as things stood on 9th August, 1966, no sum of money for the construction of the shipyard had been allocated for the IV Plan since the Plan itself had not been finalised. However, I would like to add that a provision was made in the budget for the year 1966-67 of the order of Rs. 20 lakhs for carring out preliminary investigations involving payments of fees for the preparation of project report and for soil survey as well as for other ancillary matters.

Shri A. K. Gopalan: Sir I ask for one clarification.

Mr. Deputy-Speaker: No questions now.

Shri A. K. Gopalan: Only a clarification.

Shri Vasudevan Nair (Ambalapuzha): What about Shri Govinda Menon? Shri Govinda Menon is involved in it.

Shri A. K. Gopalan: I want an answer from Shri Govinda Menon.

Mr. Deputy-Speaker: There cannot be two statements.

Shri A. K. Gopalan: I want to make a submission only.

Mr. Deputy-Speaker: I am sorry.

Shri S. M. Banerjee (Kanpur): We shall sit till midnight. Why shut out the Members?

Shri A. K. Gopalan: I had wanted to know whether the Minister of State for Food and Agriculture had said this or not and I was told by the office that the Minister made the statement outside; so, he cannot say anything.

Mr. Deputy-Speaker: It is a separate matter altogether.

Shri A. K. Gopalan: But as far as this statement is concerned, I want to have a clarification because it is not an answer. I want to know from the Minster whether the Plan was finalised on the 11th. This is what I want to know.

Mr. Deputy-Speaker: No questions are allowed.

Shri A. K. Gopalan: It is a clarification that I ask.

Shri S. M. Banerjee: I rise on a point of order.

Mr. Deputy-Speaker: Shri Madhu Limaye to lay a statement.

15-16 hrs.

STATEMENT BY MEMBER UNDER DIRECTION 115 AND REPLY BY MINISTER THERETO *RE*: PROPOSED ARREST OF DR. TEJA

श्री मधु लिमये (मुंगेर) : उपाध्यक्ष महोदय, आप नियम 115 के अनुसार चलिये। आप सब को नियम दिखा रहे हैं। मैं भी आपको नियम 115 दिखा रहा हूं। आप नियमों के अनुसार चलिये। नियम तो सब के लिये हैं मेरे लिये नियम क्यों नहीं हैं ?

Mr. Deputy-Speaker: It is a second statement.

Shri A. K. Gopalan (Kasargod): I have been in Parliament and so many times I have seen that questions are asked. I know why an opportunity is not given to me. It is because I am sitting quiet. That is the reason.

Mr. Deputy-Speaker: Under direction 115 no questions are asked.

Shri A. K. Gopalan: Clarifications were sought under one rule or the other. It was just now asked and given.

Mr. Deputy-Speaker: The direction says:—

> "The member may place before the Speaker such evidence as he may have in support of his allegation."

Shri A. K. Gopalan: I know the rule. I have read the rule.

श्री मधु लिमये : आप इस को पूरा पढ़िये। फिर हम को मौका मिलेगा अपना बयान पढ़ने का।

Shri Vasudevan Nair (Ambalapuzha): Shri Poonacha should explain. Shri Govinda Menon quoted him at Ernakulam on the 11th that he told him that allotments were made in the Plan. How are there these two different statements within a period of two days?

The Minister of State in the Ministry of Transport and Aviation (Shri C. M. Poonacha): I just do not know who has quoted me and where.

Shri Madhu Limaye: On a point of order.

Shri H. N. Mukerjee (Calcutta Central): Sir, a statement is made by a

Member; the Minister has a prior look at it and then he prepares a statement. Now, there was a very important statement referring to one of his colleagues in the Ministry and he does not even refer to it in his answer. I shall take it that he has made a true statement and he has no cause to deny it.

Shri A. K. Gopalan: On the 9th when specifically questions were put here, it was said that it would be known on the 21st or 22nd only when it is finalised. The next day the Minister goes and say this there. Why does he not say whether he said that or not?

Mr. Deputy-Speaker: The procedure is that a statement is made by the Member and the Minister and they form part of the record.

Shri A. K. Gopalan: This is not the procedure to be followed by a Minister to make political propaganda.

Mr. Deputy-Speaker: You have brought in the Food Minister also.

Shri S. M. Banerjee (Kanpur): Sir, I rise on a point of order.

श्री मधु लिमये : उपाध्यक्ष महोदय, आपने अभी श्री गोपालन को कहा, "शलो दि प्रोसीड्यूर" । क्या आप आधे मिनट में बदल जायेंगे ? **लैट अस फालो दि प्रोसीड्यूर** ।

Mr. Deputy-Speaker: Please sit down. Only one statement can be made.

Shri Madhu Limaye: I am extremely sorry, there is no such rule. We will follow only the Rules of Procedure, nothing else.

Mr. Deputy-Speaker: Please hear me.

Shri Madhu Limaye: It is on the Order Paper.

Mr. Deputy-Speaker: I am reading from Shri Madhu Limaye's letter written to the Secretary, Lok Sabha.

Shri Madhu Limaye: I object to your reading my letter.

मेरे पत्र को पढ़ने की जरूरत नहीं है । मेरा पत्र नियम नहीं है ।

Mr. Deputy-Speaker: "Since I am not reading out my statement under Direction 115 today, I suggest, the Secretariat to circulate the statement as to well as the Minister's reply with the parliamentary papers."

You have given an undertaking that you will not read it.

श्री मधु लिमये : पत्र की तारीख और समय बताइये ।

Mr. Deputy-Speaker: If you had not written the letter, it would not have been admitted.

श्री मधु लिमये : यह पत्र कब दिया ? उससे पहले ही आर्डर पेपर आ चुका है । इस तरह से नहीं चल सकता है, इस पत्र को आपने क्यों पढ़ा ? उस का कोई संबंध नहीं है, यह बात बहुत अनडिजायरेबल है । यह आर्डर पेपर पर आ गया है । मैं उसका कारण बताता हूं । मिनिस्टर ने ईमानदारी से स्टेटमेंट नहीं दिया है । उन्होंने खेद प्रकट नहीं किया है ।

Shri S. M. Banerjee: On a point of order.

Mr. Deputy-Speaker: There is no point of order. Shri Madhu Limaye, please lay it on the Table of the House. It is on the basis of your letter that I am asking you.

श्री मधु लिमये : मेरे पत्र का कोई मूल्य नहीं है । रूल्ज आर सुप्रीम ।

Shri S. M. Banerjee: Kindly hear my point of order.

Mr. Deputy-Speaker: There is no point of order.

Shri Madhu Limaye: Let us go by the Rules of Procedure and nothing else.

Shri S. M. Banerjee: This is my point of order.

Mr. Deputy-Speaker: Why waste time?.

Shri S. M. Banerjee: We should not waste time. I am afraid this may not be construed that we are wasting time. We do not want to waste time. These are the Rules . . .

The Minister of State in the Ministry of Defence (Shri A. M. Thomas): The country very well knows it.

Shri S. M. Banerjee: You are the Defence Minister. Defend the country; do not defend the Chair.

Sir, I invite your kind attention to the Order Paper of today. There is a heading 'Statements Under Direction 115'. Item 24 is that Shri A. K. Gopalan is to make a statement and Shri N. Sanjiva Reddy to make a statement in reply thereto. Item 25 is that Shri Madhu Limaye is to lay a statement on the Table.

Please refer to Direction 115. I would read the whole of it. It says:

"(1) A member wishing to point out any mistake or inaccuracy in a statement made by a Minister or any other member shall, before referring to the matter in the House, write to the Speaker pointing out the particulars of the mistake or inaccuracy and seek his permission to raise the matter in the House.

(2) The member may place before the Speaker such evidence as he may have in support of his allegation.

(3) The Speaker may if he thinks fit, bring the matter to the notice of the Minister or the member concerned for the purpose of ascertaining the factual position in regard to the allegation made.

(4) The Speaker may then, if he thinks it necessary, permit the member who made the allegation to raise the matter in the House and the member so permitted shall, before making the statement, inform the Minister or the member concerned.

(5) The Minister or the member concerned may make a statement in reply with the permission of the Speaker and after having informed the other member concerned."

My submission is only this that there is no provision for laying the statement on the Table. The provision is very simple that after ascertaining the fact from the Member about the inaccuracy or other thing pointed out by the Member, if you come to the conclusion in your wisdom that this should be allowed, the Member shall make the statement.

Secondly, the facts were brought to the House concerning Dr. Teja. Why was Dr. Teja not arrested? The whole question started from that. We contended in the House that Dr. Teja was being shielded by some people, whether it is the Home Minister or the Finance Minister or the Aviation Minister or the Transport Minister and so on

Mr. Deputy-Speaker: That has nothing to do with the point of order.

Shri S. M. Banerjee: I am arguing the case. You may kindly allow the statement to be made. There are important revelations made. My submission is that he should make the statement and the Minister also should make the statement and this House should be allowed to put as many questions as possible.

There is a case against Dr. Teja. Dr. Teja has gone out. I am definitely of the opinion that some people have conspired to send him out. That is quite clear. That Home Ministry should be in the dock because of their inefficiency. They did not allow the Enforcement Officer to prosecute Dr. Teja. That is the reason why he had the audacity to go out of the country in the month of May, 1966.

I request you to kindly allow the statement to be made under Direction 115. Under Direction 115, a statement cannot be laid on the Table. That is my point of order. I want your ruling on that.

Mr. Deputy-Speaker: Let him be brief. He may read it. Let us not waste time.

Shri Madhu Limaye: I am not wasting the time. I want to save the time of the House.

Mr. Deputy-Speaker: Read the statement only.

श्री मधु लिमये : अध्यक्ष महोदय, अगर मंत्री महोदय अभी भी अफसोस और खेद प्रकट करने के लिये तैयार हैं कि उन्होंने मेरे ऊपर "वाईल्ड एलिगेशन्स" लगाने और "स्कैंडल" फैलाने का चार्ज लगाया, और अब साफ हो गया कि मेरी बात सही है, तो अगर वह खेद प्रकट करेंगे तो मैं अपना बयान मेज पर रखूंगा ।

Mr. Deputy-Speaker: I do not want any speech to be made. Only read the statement. That is all.

Shri Madhu Limaye: Sir, during the course of the discussion on the Jayanti Shipping Bill on 24th August, 1966, I moved a motion of adjournment of Debate under Rules 109 and 340. Among the reasons that I adduced in support of the motion, one was the failure of the Government to disclose the following information:

That when Dr. Teja was here in India last a proposal was made for his arrest by the Enforcement Branch (Finance Ministry). The proposal was turned down by the Government. Now, who was responsible for this veto: Finance Minister, Home Minister, Transport Minister or Prime Minister? I received no reply.

The Prime Minister, it may be recalled, had said on 24th August.

"बाहर से डाक्टर तेजा को गिरफ्तार करना हमारे हाथ में नहीं । हम उन को गिरफ्तार करने के खिलाफ नहीं हैं मगर मुश्किल यह है . . . . (व्यवधान)

There have to be extradition orders if Dr. Teja is in France. We have no such treaty with France."

On 25th, I again moved adjournment of the debate on the Bill and said that the position with regard to Enforcement Directorate's arrest proposal should be clarified.

I repeated this at least thrice through interpellations during the Minister's reply in the resumed debate on the Bill on 25th August.

Now what was the Minister's reply to my repeated interpellations? He said (on 25th August):

"श्री मधु लिमये : उसी वक्त एन्फोर्समेंट ब्रांच ने कहा था कि गिरफ्तार कीजिए। आप ने नहीं किया ।

Shri Sanjiva Reddy: That is totally wrong. I do not know how my hon. friend gets such ideas. He gets only such ideas. Nobody said that he should not be arrested. He must accept the information that is before me. They never said that he is going to be arrested and nobody said, "do not arrest". It was discussed in the Home Minister's House and it was decided that we may get better information and material. It was the Enforcement people who gave this information and said, "wait for some time; now gather the material, evidence and information and then we shall pick him up." At that stage he was in India to seek the permission of the Government to sell his ships."

And again a question was asked by me:

"Shri Madhu Limaye: When was Dr. Teja in India last, and..

(b) whether the Enforcement before his departure from India Directorate suggested his arrest last and . . .

Shri Sanjiva Reddy: He raised it, and I answered it.

Shri Madhu Limaye..whether the Government turned it down?"

यह तो हुआ हमारे और आप के बीच म ।

During the clause by clause consideration, I repeated my question and warned Mr. Reddy that he should give a careful thought-out answer. I had even warned him on 24th August about my raising a Privilege Motion against him. But the Minister did not correct himself. He said that he had already answered that.

According to my information, Dr. Teja was in India in the first fortnight of May, 1966. The Enforcement Director, I understand, made a proposal for his arrest around the 8th/9th of May. Again, before his departure on 11th/12th May, they suggested that at least his pass-port should be cancelled or confiscated or something done to prevent his leaving the country. However, the Finance Minister or the Transport Minister or the Home Minister or the Prime Minister turned down the proposal both for the arrest of Dr. Teja or in the alternative for blocking his departure from the country.

I charge the Government with having connived at his escape from India in the second week of May. To suggest as the Transport Minister has said that it was the Enforcement people who were opposed to his arrest is the very travesty of truth. I might add here that had the Finance Minister not come in the way, the Enforcement Directorate and the Secretary to the Finance Ministry would have ordered his arrest under Section 19B of the Foreign Exchange Regulations Act. I need not add that the Government had also adequate powers to cancel or confiscate Dr. Teja's passport.

उपाध्यक्ष महोदय, मैं अन्त में इतना ही कहूंगा . . .

Mr. Deputy-Speaker: He may read the last paragraph also and finish.

श्री मधु लिमये : मैं अन्त में इतना ही कहूंगा कि एन्फोर्समेंन्ट डाइरेक्टोरेट के पास उस वक्त ये कागजात थे, जो मैं टेबिल* पर रखता हूं । ये इन्होंने—मित्सुबिशी शिपयार्ड ने—झूठी रसीदें दी हैं, जिन्हें मैं आपकी खिदमत में पेश करता हूं । ये सारी चीजें उन के पास थीं, लेकिन फिर भी आपने उनको गिरफ्तार करने कि इजाजत नहीं दी ।

Mr. Deputy-Speaker: The hon. Minister.

Shri Hari Vishnu Kamath (Hoshangabad): On a point of order. I submit that the Minister's statement is out of order because it is not in compliance with the Rules of Procedure. It cannot be laid on the Table of the House. Once it is laid on the Table, it becomes public. It violates the Rules of Procedure. Have you got a copy of the Minister's statement to be laid on the Table? I submit it cannot be laid.

Mr. Deputy-Speaker: He may read it.

Shri Hari Vishnu Kamath: He cannot read it because it violates the Rules of Procedure. I may invite your attention to Rule 370. Before I come to that, I would like to refer to paragraph 4 of the statement proposed to be laid on the Table.

The Minister of Transport, Aviation, Shipping and Tourism (Shri Sanjiva Reddy): How can he quote from the statement before it is laid?

Shri Hari Vishnu Kamath: I will read the rule first. Rule 370 says:

"If, in answer to a question or during debate, a Minister discloses the advice or opinion given to him by any officer of the Government or by any other person

*The Speaker not having subsequently accorded the necessary permission the documents were not treated as laid on the Table.

or authority, he shall ordinarily lay the relevant document or parts of document containing that opinion or advice, or a summary thereof on the Table."

Now I will not read from the statement itself. The statement refers to the advice given to the Minister by various authorities—the Enforcement Directorate, the Home Secretary, the Secretary in the Ministry of Finance and various officials of the Government. It says that a meeting was held in the house of the Home Minister on the 15th May where this advice was given to him not to arrest Dr. Teja. Unless he lays the views or the advice of these officers, this statement cannot be laid. The document containing the advice of the officers should be laid on the Table. This is number one.

Number two is this. Please refer to Rule 354. It violates this Rule also because towards the end of the statement, there is a reference to a member in the other House, in the Council, in the Rajya Sabha; there is a reference to what the Home Minister said in reply to certain documents sent by Shri Dahyabhai Patel to the Minister. There are two things: the documents sent by the member of the Rajya Sabha to the Minister and secondly, the speech made by the Home Minister in the Rajya Sabha. I believe that the quotation relates to the speech made by the Home Minister in the Rajya Sabha.

Shri Sanjiva Reddy: No; it is a letter.

Shri Hari Vishnu Kamath: That full letter, which is quoted, the full document, must be laid on the Table. (*Interruptions*).

An hon. Member: What is the point of order?

Shri Hari Vishnu Kamath: I can state the point of order, but I am sorry I cannot give the brains to understand it.

Therefore, when the Minister refers in the statement to the advice given by the officers concerned, by the various authorities of the Government—so many Ministries are involved—to the Minister not to arrest Dr. Teja, unless it is accompanied by the statement containing their advice, this reference cannot be made. This is number one.

My second point is this. There are certain documents referred to in the penultimate para of the statement, and they are the documents sent by Shri Dayabhai Patel, Member of the Rajya Sabha, to the Home Minister, in reply to which he made a statement; God alone knows whether he made the statement in reply to the letter from Shri Dayabhai Patel or in a speech in the Rajya Sabha. The hon. Minister, will have to enlighten us on that. If it is a letter to Shri Dayabhai Patel, I do not know whether it can be referred to in this House.

Shri Sanjiva Reddy: How can I clarify unless you permit me to make the statement?

Shri Hari Vishnu Kamath: Rule 354 is very clear and it says:

> "No speech made in the Council shall be quoted in the House..."

If it is not a speech made in the Rajya Sabha but a letter written to a Member of the Rajya Sabha in reply to certain documents, then also the documents must come before the House. The full text of the letter and also the advice given by the officers concerned to the Ministers or to the Government not to arrest Dr. Teja must also come before the House along with those documents; those documents must be laid on the Table of the House. Only then can the statement be laid on the Table.

Shri S. M. Banerjee: I want to submit . . .

श्री शिवनारायण (बांसी) : प्वाईन्ट आफ आर्डर बताइए ।

Mr. Deputy-Speaker: Order, order.

Shri S. M. Banerjee: Kindly control him. Otherwise, I shall control him . . .

Mr. Deputy-Speaker: Let the hon. Member state his point.

Shri S. M. Banerjee: He has referred to rule 370. If you kindly go through the statement, you will find that this is what it says:

> "The facts relating to the discussion between the Enforcement Division of the Ministry of Finance, the Secretary in the Ministry of Finance (Department of Revenue) and the Director of the Central Bureau of Investigation were not brought to the notice of the Ministry of Transport and Aviation.".

My point is that here in this particular reply two Ministries have been involved; one is the Finance Ministry and the other is the Ministry of Home Affairs. For, by whom was the advice given? It was given by the CBI or the Central Bureau of Investigation; and the other advice was given by the Enforcement Directorate, which the hon. Minister is now going to correct and substitute by CBI. The Enforcement Directorate told the Aviation Department that there were enough allegations or enough charges against Dr. Teja which might warrant his arrest.

Shri Sanjiva Reddy: Before I read out the statement, hon. Members are quoting from it. I do not know how it is relevant. Please permit me to read out that statement, and afterwards, they can quote from it . . .

Shri S. M. Banerjee: It has been laid on the Table of the House and we have got copies of it.

Shri Sanjiva Reddy: It has not been laid on the Table of the House yet.

Shri S. M. Banerjee: May I say that I got this statement from the Notice Office? My point is that the necessary advice was given by the Ministry of Home Affairs and also by the Enforcement Directorate under the Finance Ministry. But according to the statement we find that because this advice was not made known to the Ministry or it was not discussed and was not known to the Ministry, therefore, they could not possibly justify the arrest of Dr. Teja.

The point of order raised by Shri Kamath is this that it should be supported by all the documents, and the documents should be laid on the Table of the House. May I invite your kind attention in this connection to a similar case earlier? When Shri Kamath read out certain parts from the CBI report, the non-official CBI report, Shri Sinhasan Singh raised a point of order immediately.

Mr. Deputy-Speaker: The hon. Member is taking up the time of the House. He should be very brief.

Shri S. M. Banerjee: This is not wasting time. From tomorrow you will be free and we shall be free. So, let us say what we want to say on this last day of the session, in the interests of the country. There may be thousands of Dr. Tejas, but we should not be afraid of them. At that time, Shri Sinhasan Singh raised a point of order . . .

Mr. Deputy-Speaker: What is the hon. Member's point of order? That is what I want to know.

Shri S. M. Banerjee: Shri Kamath has said that the documents should be laid on the Table of the House. My point of order is this. I also support Shri Kamath. At the same time, I would also submit that the reply should come from the Home Minister and from the Finance Minister and not the Minister in charge of Aviation, because this relates to the question of the arrest of Dr. Teja.

Mr. Deputy-Speaker: Rule 370 refers to answer to a question or during debate. This statement is neither in reply to a question nor a statement during a debate. This statement is under Direction 115, which clearly

says that the Member may make a statement and then the Minister will make another statement. That is all.

Shri Hari Vishnu Kamath: But the other rules apply. Will not the other rules apply?

Mr. Deputy-Speaker: There is no point of order. The hon. Minister may make the statement.

Shri Hari Vishnu Kamath: It is a wonderful ruling that you have given.

Mr. Deputy-Speaker: Shri Madhu Limaye seems to be anxious that the statement should be read out. So, the hon. Minister may please read it out, or if he likes, he may place it on the Table of the House. You may lay it on the Table.

Shri Ram Sewak Yadav (Barabanki): That cannot be done under the Direction.

Shri Sanjiva Reddy: I am grateful to the Honourable Speaker for giving me this opportunity to clarify a statement made by me in the course of the debate on the Jayanti Shipping Company (Taking over of Management) Bill on the 25th August, 1966.

In reply to a question then by Shri Madhu Limaye, I had referred to a meeting at the Home Minister's house on the 15th May, 1966 and had stated that the Enforcement people had advised the Government of India to wait till sufficient evidence had been gathered against Dr. Teja before ordering his arrest. I had also explained earlier on in the debate that I had not been present at this meeting and consequent on the debate, I further looked into the matter and wrote to the Honourable Speaker to permit me to make a statement.

At the very outset, before I narrate the facts of this case, I would like to make it clear that during the discussion on 25th August. 1966 when I referred to "Enforcement people" I meant the Central Bureau of Investigation which is under the administrative control of the Ministry of Home Affairs.

श्री मधु लिमये : गिरफ्तारी के प्रपोजल का भी जवाब दिजिये ।

Shri Sanjiva Reddy: I am prepared to answer anything that you want. If the Chair permits, I have absolutely no objection.

I understand that the Director of the Enforcement Division in the Ministry of Finance had on the 11th May, 1966 reported to the Secretary to the Government of India in the Ministry of Finance (Department of Revenue) that they had information that Dr. Teja was likely to leave India on the night of the 11th/12th May, 1966. The Secretary in the Ministry of Finance (Department of Revenue) consulted the Director of the Central Bureau of Investigation who is under the administrative control of the Ministry of Home Affairs on the same day to ascertain if anything could be done to arrest Dr. Teja. The Director of the Central Bureau of Investigation explained to the Secretary concerned that the material available then was not sufficient to justify the initiation of criminal proceedings and that in the circumstances it was not possible to arrest Dr. Teja. The facts relating to the discussion between the Enforcement Division of the Ministry of Finance, the Secretary in the Ministry of Finance (Department of Revenue) and the Director of the Central Bureau of Investigation were not brought to the notice of the Ministry of Transport & Aviation.

A meeting was held subsequently in the house of Home Minister on 15th May, 1966 where the Director of the Central Bureau of Investigation confirmed his earlier view that the material available at that was not sufficient to register a criminal case and to arrest Dr. Teja.

It is the result of this meeting in the Home Minister's house that I re-

[Shri Sanjiva Reddy]

ferred to in my reply to Shri Madhu Limaye on the 25th August, 1966 (*Shri Ram Sewak Yadav*: What steps have been taken now to arrest him?) The referrence to the Enforcement people in my reply to the Honourable Member on the 25th August, 1966 is therefore, to the Central Bureau of Investigation which is under the administrative control of the Ministry of Home Affairs, and not to the Enforcement Division which is under the administrative control of the Ministry of Finance. As soon as I became aware of these details I felt it was my duty to clarify the position to the Honourable Members.

On 19th May, 1966 the Home Minister replied to Shri Dayabhai Patel's letter of 7th May 1966 and observed, as follows, with reference to the documents sent by Shri Patel to the Home Minister:

> "These documents have been carefully analysed but it appears that on the basis of the material contained in them, it is not possible to initiate criminal proceedings The matter will have to be further probed and I am accordingly sending these papers to the Ministry of Transport for transmitting them to the Sukhthankar Committee which is already examining certain allegations against the Company. If in the course of the enquiry further material becomes available, investigation will be taken up. We are also sending copies to the Company Law Board, Ministry of Law and the Foreign Exchange Enforcement Directorate of the Ministry of Finance for examination of the matter from their respective angles.

As the Committee of Enquiry appointed by Government was not making any headway because of the non co-operative attitude of Dr. Teja and his staff, Government had to consider urgent action to progress the matter further. The Cabinet, therefore, decided to take over the management of the Company on 9th June 1966 and an ordinance was accordingly passed on 10th June 1966 taking physical possession of the management of the Company by appointing a Board of Control as well as the Shipping Corporation of India as the Managing Agents of the Jayanti Shipping Company. The month that followed the taking over the Management resulted in detection of several documents and facts which gave sufficient material to justify initiation of criminal proceedings against Dr Teja and criminal cases have been registered against him under Section 120 B, read with Sections 409, 467 and 477A of the Indian Panel Code. Ever since the taking over of the management of the Company by Government on the 10th June, 1966, Dr. Teja has not returned to India.

Shri Hari Vishnu Kamath: Sir, with regard to the ruling, you gave on rule 370. you in your wisdom held that it was not a debate and that rule does not apply.

Mr. Deputy-Speaker: No discussion on my ruling. I am not discussing it now.

Shri Hari Vishnu Kamath: I am not discussing it.

Mr. Deputy-Speaker: I may be wrong; I am not infallible. Let us not discuss it now.

Shri Hari Vishnu Kamath: How can it be?

Mr. Deputy-Speaker: Whether it applies or not—let us not discuss it now.

Shri Hari Vishnu Kamath: If it is an arbitrary ruling, if it is against our rules?

Mr. Deputy-Speaker: Even if it is wrong, we have to follow it.

Shri Hari Vishnu Kamath: You have to listen to what I have got to say.

Mr. Deputy-Speaker: When the matter comes up again, we will see not now.

Shri Hari Vishnu Kamath: It is about the expunction of words; please bear with me for a minute. Under rule 380, if the Speaker is of opinion that words have been used in a debate which are defamatory or indecent or unparliamentary or undignified he may, in his discretion, order that such words be expunged from the proceedings of the House. That means during the question hour, we can use....

Mr. Deputy-Speaker: That is a different rule altogether.

Shri Hari Vishnu Kamath: Please see the Lok Sabha debates part I and part II, the word "debate' there too.

Mr. Deputy-Speaker: Order, order.

Shri Hari Vishnu Kamath: You are getting mentally fatigued because you have been too long in the Chair today; you have brain fag . . . (*Interruptions*).

श्री मधु लिमये : उस का कारण है। अफसोस प्रकट करना चाहिये आप को।

Mr. Deputy-Speaker: Before I take up the next question, I am sorry to inform this position. Mr. Limaye gave a definite assurance to the office that he would not read the statement in the House. It is on that assurance the second item No. 115 was admitted and he was permited to read his statement.

श्री मधु लिमये : ऐसा नियम नहीं है।

Mr. Deputy-Speaker: But this cannot go on hereafter. Office will take note that not more than one will be admitted.

Shrimati Renu Chakravartty (Barrackpore): How can you change the rules like this?

Mr. Deputy-Speaker: If an hon. Member goes back on his word.... (*Interruptions*).

श्री मधु लिमये : आपको आश्वासन मांगने का नियमों के अन्दर कोई अधिकार नहीं है।

Shri Indrajit Gupta (Calcutta South West): You cannot change the rule arbitrarily just because he did someing wrong.

Shrimati Renu Chakravartty: You cannot give such instructions. (*Interruptions.*)

श्री रामसेवक यादव : उपाध्यक्ष महोदय आप एक मिनट मेरा निवेदन सुन लें।

Mr. Deputy-Speaker: Order, order. Bills to be introduced.

श्री राम सेवक यादव : मेरा प्रश्न दूसरा है, उस को आप सुन लीजिये। मैं आप का ध्यान खीचना चाहता हूं कि 5 सितम्बर को श्री दाजी ने वर्मा से आने वाले चावल का सवाल उठाया था जिस को डा० राम मनोहर लोहिया ने दस दिन पहले यहां रक्खा था। अध्यक्ष महोदय ने आश्वसन दिया था कि वह उसे को देखेंगे। सन 1962 में हजारों रुपयों का नुकसान हुआ है। श्री पाटिल उस समय खाद्य मंत्री थे। इस के बारे में आप सदस्यों से पूछ सकते हैं।

Mr. Deputy-Speaker: It is a different matter altogether. How can you go on interrupting the proceedings of the House. Please sit down. Without notice you cannot raise it now. I am not hearing any persons now. The Home Minister.. (*Interruptions.*)

15.48 hrs.

DELHI AND HIMACHAL PRADESH (SEPARATION OF JUDICIAL AND EXECUTIVE FUNCTIONS) BILL*

The Minister of Home Affairs (Shri Nanda): I move:

"That leave be granted to introduce a Bill to provide for the separation of judicial and executive functions in the Union territories of Delhi and Himachal Pradesh."

Mr. Deputy-Speaker: You have movd for leave? The question is:

"That leave be granted to introduce a Bill to provide for the separation of judicial and executive functions in the Union Territories of Delhi and Himachal Pradesh."

The motion was adopted.

श्री राम सेवक यादव (बराबंकी) : अध्यक्ष महोदय ने आश्वसन दिया है, आप 5 सितम्बर की कार्रवाही उठा कर देख लें।

Shri Nanda: Sir, I introduce the Bill.

श्री राम सेवक यादव : उपाध्यक्ष महोदय आप 5 सितम्बर की प्रोसीडिग्स ले लीजिये।

Shri Hem Barua (Gauhati): Sir, you have extended the zero hour up to 3.51.

Mr. Deputy-Speaker: What am I to do? Unless the House co-operates with me, I cannot help it.

श्री राम सेवक यादव : अध्यक्ष महोदय, का आश्वासन है।

Mr. Deputy-Speaker: Order, order. He is obstructing the proceedings of the House. I will ask him to go out if he continues like that.

श्री किशन पटनायक (सम्बलपुर) स्पीकर साहब का आश्वासन है।

Mr. Deputy-Speaker: Please sit down; I am not concerned with that. Please give notice; I will consider.

श्री राम सेवक यादव : स्पीकर साहब का फ़ैसला है।

Mr. Deputy-Speaker: Order, order. Let us proceed to the next item.

15.51 hrs.

PUNJAB REORGANISATION BILL —*contd.*

Clause 29—*contd.*

Mr. Deputy-Speaker: Now, the House will take up further consideration of the Punjab Reorganisation Bill. We were on clause-by-clause consideration, and Shri Buta Singh was speaking. I have to make one request to the House. This Bill has to be finished today, and then we will take up other business. I would request hon. Members to kindly co-operate with the Chair and see that this Bill is passed as quickly as possible.

श्री राम सेवक यादव (बाराबंकी) : पांच सितम्बर का नोटिस है। अध्यक्ष महोदय ने आश्वासन दिया था। यह अनाज का मामला है। ए० पी० जे० कम्पनी का मामला है। अध्यक्ष महोदय ने फ़ैसला दिया था।

श्री किशन पटनायक (सम्बलपुर) : इसका क्या होगा ?

Mr. Deputy-Speaker: Order, order. I will ask Shri Ram Sewak Yadav to go out. He is unnecessarily obstructing the proceedings of the House.

Shri Hem Barua (Gauhati): How much time has been taken on this Bill, Sir?

*Published in Gazette of India Extraordinary, Part II, section 2, dated 6-9-66

Mr. Deputy-Speaker: Eight hours and five minutes have been taken. We have to finish the Bill. It depends upon the Members. I request hon. Members to be short in their speeches and try to finish this Bill at least before . . . (*Interruption*).

Shri Hem Barua: How long are we going to sit?

Mr. Deputy-Speaker: Till we finish this Bill and the other business which Members want to take up. Let us go on till 6 O'clock and then see.

Shri Bade (Khargone): After a break at 6 O'clock, we will take it up again.

Shri S. M. Banerjee (Kanpur): Sir, if you see the Order Paper for today, you will find that there are three half-an-hour discussions for today, and before that, there is the discussion on defence matters, which is pending. I would like to know whether any time-limit has been fixed and when the Minister is going to reply.

Mr. Deputy-Speaker: I would suggest that this Bill be finished by 6 O'clock—all stages. After that, if the House is willing we will take up the other business.

Shri Hari Vishnu Kamath (Hoshangabad): They may be put off for the next session.

Shrimati Renu Chakravartty (Barrackpore): At 5 O'clock, the half-hour discussion to be raised by Shri Harish Chandra Mathur is coming up. I suggest that we will take that up at that time and then resume discussion of this Bill.

The Minister of State in the Departments of Parliamentary Affairs and Communications (Shri Jaganatha Rao): We will continue with this Bill.

Mr. Deputy-Speaker: Let us finish this Bill; we will go on till 6 O'clock and then take other business.

Shri Umanath (Pudukkottai): Sir, the Beedi and Cigar Workers (Conditions of Employment) Bill is put down on the agenda since the past four to five days and it has not yet come up before the House.

Shri Raghunath Singh (Varanasi): There is also the discussion in respect of defence matters. (*Interruption*).

Shrimati Renu Chakravartty: Let us understand the position. First, this Bill has got to be finished. After that, the Beedi and Cigar Workers (Conditions of Employment) Bill will be taken up and then the three half-hour dicussions will come up. Is that the position, and if so, we will continue till what time?

Shri Jaganatha Rao: Till such time as the business of the House is finshed.

Shrimati Renu Chakravartty: That is, tomorrow or the day after tomorrow?

Mr. Deputy-Speaker: Let us get along with as much as we can, today. (*Interruption*).

Shrimati Renu Chakravartty: Let us understand it; today means till 12 midnight. Do we sit up to 12 midnight?

Mr. Deputy-Speaker: Whatever we could do, up to 10 or 11. We will sit till this Bill is passed. Then, if the House is willing to sit further, the other business may be taken up.

Shrimati Renu Chakravartty: What happens to Shri Mathur's half-hour discussion?

Shri Raghunath Singh: The motion on the defence matter is half-discussed. That should be taken up first. I will have to continue my speech on it.

Mr. Deputy-Speaker: I will leave it to the Members and the House.

Shri S. M. Banerjee: Kindly, for God's sake, see the Order Paper.

Mr. Deputy-Speaker: What is it that he wants to say?

Shri S. M. Banerjee: After this Bill is finished, there is the other motion on defence matter. Then, there are three half-hour discussions. That is, the House will have to sit for long. Will there be quorum?

Mr. Deputy-Speaker: Quorum will be maintained.

श्री मधु लिमये (मुंगेर) : एजंडा के बारे में, आडर पेपर के बारे में मैं कुछ कहना चाहता हूं ।

उपाध्यक्ष महोदय : वह हो गया है ।

श्री मधु लिमये : 5 सितम्बर को ए० पी० जे० शिपिंग लाइन्स के बारे में अध्यक्ष महोदय ने आश्वासन दिया था । मैं समय लेना नहीं चाहता हूं । आश्वासन दिया गया है ।

उपाध्यक्ष महोदय : अभी नहीं, बाद में ।

श्री रामसेवक यादव : आज आखीरी दिन है । ए० पी० जे० द्वारा वर्मा से आने वाले चावल को ले कर लाखों रुपये का नुकसान हुआ है । उस समय के खाद्य मंत्री की, विदेश मंत्री की और प्रधान मंत्री की जिम्मेदारी थी । इस पत्र को यहां रखा भी गया है और आपने उसको रखने की अनुमति भी दी थी । अब आप इस को क्यों नहीं ले रहे हैं ।

श्री मधु लिमये : आप चूंकि इसको नहीं ले रहे हैं, इस वास्ते हमको सभा-त्याग करना पड़ेगा ।

श्री रामसेवक यादव : लाखों रुपये के चावल का घोटाला है जिस में पाटिल साहब और विदेश मंत्री शामिल हैं । ये साजिशें होती रहती हैं । **

श्री किशन पटनायक : **

(*Shri Ram Sevak Yadav and some other hon. Members then left the House.*)

Mr. Deputy-Speaker: Thank you.

Shri Hem Barua: Are you thanking them for calling**

Mr. Deputy-Speaker: I thanked them for going out of the House. That will be expunged.

15·58 hrs.

[SHRI SHAM LAL SARAF *in the Chair*]

Shri Buta Singh (Moga): Yesterday I was going to speak on my amendment 115 to clause 29, pertaining to the High Court. Through this Bill, the Government want to convert the present High Court of Punjab into a common High Court for Haryana and Punjab. In the name of a common High Court, a great injustice is being done to Punjab.

I request the Minister to accept my amendment on the following 3 grounds. Firstly, it will be inconvenient for the litigants of Haryana owing to the geographical location of Chandigarh. One of the principal terms of reference of the Boundary Commission

**Expunged as ordered by the Chair.

was geographical contiguity. The people coming from Gurgaon and Narayangarh will have to travel all the way to Delhi and then to Chandigarh to file an application. This clause should be amended to avoid the inconvenience to the people of these areas.

Secondly, since the Chief Ministers of the States concerned will be entitled to recommend the appointment of the Chief Justice the office of Chief Justice will become a matter of political contention, which is a bad thing. Yesterday when my colleague, Shri Kapur Singh, was referring to the judiciary, everybody was trying to twist his arguments.

16 hrs.

Sir, we have every faith in the judiciary of the country and I do not want that this faith should be shattered, this faith should be put to political use by making this High Court a common High Court. I am sure there will be difference of opinion. It is always bound to be there between the two Chief Ministers on the appointment of the Chief Justice to the common High Court. It is only fair and in the fitness of proper administration of this High Court that a separate High Court for Punjab and a separate High Court for Hariana be created.

My third argument is that it will be impossible for Punjabi language to be the language of the High Court and of session's courts, and Hindi being a Union language will not suffer from this disadvantage. A common High Court, therefore, is a statutory discrimination against the Punjabi language.

For these reasons, Sir,—this is a very important reason which I am advancing because the Allahabad High Court has already switched over to Hindi as its court language—and it is with this purpose that the linguistic division of the country was considered necessary. Since we are going to give Punjabi the status of a State language and we are going to instal it for all practical purposes for that State, it will be unfair to this language if it is not made the language of the High Court of that State. For these reasons, I request the hon. Home Minister to agree to have two separate High Courts for Punjabi Suba and Hariana.

The Minister of Home Affairs (Shri Nanda): There will be practical difficulties in effecting a change immediately by the time of the appointed day, apart from other reasons. Therefore, this arrangement may continue. When the States come into being we can make the change.

Shri Buta Singh: Shall we take this as an assurance that when the new States come into existence they can have the choice of having one Court or two separate Courts?

Shri Nanda: Yes.

Mr. Chairman: I shall put amendment No. 115 to the vote of the House. The question is:

Page 14,—*for* clause 29, *substitute*—

"29. (1) On and from the appointed day there shall be a separate High Court for the State of Punjab to be called the High Court of Punjab.

(2) The Judges of the High Court of Punjab holding office immediately before that day, shall become on that day the Judges of the High Court of Punjab."

The motion was negatived.

Mr. Chairman: The question is:

"That clause 29 stand part of the Bill."

The motion was adopted.

Clause 29 was added to the Bill.

Clauses 30 to 47 were added to the Bill.

Clause 48.— (*Land and Goods*)

Shri Jagdev Singh Siddhanti (Jhajjar): Sir, I beg to move:—

(i) Page 20, line 7,—

after "land", *insert*—

"buildings and other property". (76).

(ii) Page 20, line 9,—

after "State", *insert*—

"and was not used for the purposes of the State or States as a whole". (77).

(iii) Page 20, lines 11 and 12,—

for "pass to the State of Punjab" *substitute*—

"the lands, buildings, properties, stores, goods and other articles, or their market value be distributed according to the population ratio". (78).

(iv) Page 20, line 14,—

for "any goods or class of goods" *substitute*—

"any lands, buildings, properties, stores, articles and other goods". (79).

Shri Gajraj Singh Rao (Gurgaon): Sir, I beg to move:—

Page 20,—

for lines 11 and 12, *substitute*—

"(b) if outside that State, pass to successor States, Punjab and, Haryana, as determined by the Central Government;". (107).

Shri Hem Raj (Kangra): Sir, I beg to move:—

(i) Page 20, lines 11 and 12,—

for "State of Punjab", *substitute*—

"successor States in consonance with the principles of division of assets". (108).

(ii) Page 20, line 14,—

for "goods or class of goods", *substitute*—

"moveable or immoveable property". (109).

(iii) Page 20, line 16,—

for "goods", *substitute*—

"property, moveable or immovable". (110).

श्री जगदेव सिंह सिद्धान्ती : मैं यह निवेदन करना चाहता हूं कि हरियाणा को अब तक बिल्कुल अनडेवेलप्ड रखा गया है और मैं कहना चाहता हूं कि जानबूझ कर रखा गया है। इस की तुलना में पंजाबी सूबे के घर-घर में इंडस्ट्रीज लगी हुई है और गांव-गांव के खेत-खेत में ट्यूबवेल्ज लगे हुए हैं, जो कि हमारे यहां बिल्कुल नहीं है। हमारे पास कुछ भी मिल्कियत नहीं है। इस लिए दोनों राज्यों में जो जायदाद या चीजें है अगर वे उन्हीं को दे दी गईं, तो हमारे साथ बड़ा अन्याय होगा। इस लिए आवश्यकता इस बात की है कि हमारी कमी को पूरा कर के और पंजाबी सूबे के स्तर पर हमारी तरक्की हो जाने पर ही यह जायदाद का बंटवारा कर दिया जाये। या इस समय पूरी पंजाब स्टेट में जो जायदाद आदि है, उस की कीमत लगा कर जनसंख्या के आधार पर दोनों राज्यों में बांट दी जाये। हमारे यहां यूनिवर्सिटी और दूसरी संस्थाओं पर बिल्कुल रुपया नहीं लगाया गया है। इस समय पंजाब स्टेट से बाहर जो जायदाद आदि है, वह जायदाद पंजाबी सूबे को दी जा रही है। इस लिए मैं चाहता हूं कि श्री नन्दा मेरे इन संशोधनों को स्वीकार करें और

पंजाब से बाहर की जायदाद को जनसंख्या के आधार पर दोनों राज्यों में बांटा जाये, क्योंकि हरियाणा पिछड़ा हुआ है और उस को पंजाब के बराबर लाना सरकार का कर्त्तव्य है ।

Shri Gajraj Singh Rao: This would create great difficulties. There are certain houses in Western Jamuna Canal in UP and how it is fair that they should go to the State of Punjab. Therefore, I have suggested this amendment as a *via media*. My amendment No. 107 is innocuous and Government should accept this that the goods, articles, moveable and immovable property outside the State should pass to the successor States as determined by the Central Government. This is a reasonable thing. Why is Haryana being deprived of crores and crores of rupees worth of property?

Shri Hem Raj: I want that these assets should pass to the successor States in consonance with the principle of division of assets. These assets belong to all the four areas which are being divided. Here the words used are:—

> "Subject to the other provisions of this Part, all land and all stores, articles and other goods".

Immovable property is also included in this and that means that all that property which lies outside the Punjab shall pass to the State of Punjab. If it passes to the State of Punjab, the question will arise as to how the other parts which are being separated from the Punjab can claim that property which lies outside the Punjab. Therefore, once it goes to Punjab, it will become difficult for those States to claim it. I say that certain principles have been accepted for the division of assets. According to those principles, the assets which arise outside Punjab, should be divided into three parts.

Shri Nanda: There is some misunderstanding so far as my friend Shri Siddhanti's amendment is concerned. If we see sub-clause (6) of clause 48, we find the expression 'land' includes immovable property of every kind and any rights in or over such property, etc. Therefore, there is no need for any specific amendment to say that 'land' includes buildings, immovable property etc. because it has already been specifically defined in the sub-clause (6) of clause 48.

Then, as regards the property which is outside the State, may be in Delhi or may be elsewhere, there a procedure has been laid down. It is that, in the first instance, it will vest in Punjab but then it is going to be decided, either according to agreement if agreement can be reached or the Central Government will enter, and a decision taken. Therefore, it is only a matter of convenience that at the moment, on an appointed day—it is not possible to do all the processes at once—it has to vest somewhere. It is Punjab, for the time being, but all that is required is going to follow in course of time.

Regarding the property at the State level, there may be buildings at the State level meaning thereby housing of some officers who were functioning at State level. It is very difficult to distinguish and it practically means that we depart from the principle that wherever immovable property lies, it vests in that State. Then, if it has been created out of the public debt, it is going to be distributed according to certain ratio. Actually, it is not going to create any problem at all of any dimension. These were the three things raised. I have nothing more to say.

Shri Kapur Singh (Ludhiana): In any case, as long as the men lik Shri Hem Raj, Shri Gajraj Singh Rao and Shri Siddhanti are in Haryana, how can Haryana be said to be a poor State?

Mr. Chairman: I shall put all the Amendments together, that is, Amendments No. 76, 77, 78, 79, 107, 108, 109 and 110.

Amendments Nos. 76 to 79 and 107 to 110 were put and negatived.

Mr. Chairman: The question is:

"That clause 48 stand part of the Bill".

The motion was adopted.

Clause 48 was added to the Bill.

Clause 49— (*Treasury and bank balances*)

Shri Jagdev Singh Siddhanti: I move:

Page 21, line 26,—

after "shall", *insert*—

"after making adjustments for removing imbalances in the matter of development, economic and educational, of the areas heretofore called the State of Haryana and Punjab, or of the areas transferred to Himachal Pradesh." (80).

Shri Nanda: The hon. Minister believes that the cash balance is of such a large size that it will enable them to make up for all the deficiency and all the backwardness. It is not so. It is a relatively small amount. The hon. Member need not bother about this very much.

Mr. Chairman: Is the hon. Member pressing his amendment?

Shri Jagdev Singh Siddhanti: No; I would like to withdraw it.

Mr. Chairman: Has he the leave of the House to withdraw his amendment?

Several hon. Member: Yes.

Amendment No. 80 was, by leave, withdrawn.

Mr. Chairman: The question is:

"That Clause 49 stand part of the Bill."

The motion was adopted.

Clause 49 was added to the Bill.

Clauses 50 to 68 were also added to the Bill.

Clause 69— (*Provisions as to Punjab State Financial Corporation.*).

Mr. Chairman: There is an amendment, Amendment No. 14, by Mr. Kapur Singh and others.

Shri Buta Singh: I beg to move:

Page 31, line 37,—

for "and", *substitute* "or". (14).

श्री गुलशन (भटिंडा): यह अमेंडमेंट नं० 14 जो है इस में मुझे यह निवेदन करना है कि हाई कोर्ट हरयाणा और पंजाब का एक न रखा जाय । उस की दलील यह है कि पंजाब राज्य में पंजाबी भाषा की उन्नति करना है तो अगर वह हाई कोर्ट के दरवाजे तक पंजाबी नहीं पहुंच सकती तो मैं समझता हूं कि पंजाबी क्षेत्र जैसे बना वैसे नहीं बना । इसलिए जैसा कि मेरे मित्र बूटा सिंह ने कहा है, मैं उन का समर्थन करता हूं और यह कहता हूं कि हाई कोर्ट एक रखने से पंजाबी विरोधी तत्व यह उस में रहता है । यह एक कमी उसमें रह जाती है । इसलिए मैं चाहूंगा कि हाईकोर्ट पंजाब और हरयाणा से अलग होना चाहिये, मिलवन में नहीं होना चाहिए ।

Shri Nanda: This should be consequential to the amendment moved earlier by the hon. Member. Since that has not been accepted, the question of accepting this does not arise.

श्री गुलशन : नन्दा जी, एक तो मान ही लीजिए ।

Mr. Chairman: I now put Amendment 14 to Clause 69, to the vote of the House.

Amendment No. 14 was put and negatived.

Mr. Chairman: The question is:

"That Clause 69 stand part of the Bill."

The motion was adopted.

Clause 69 was added to the Bill.

Clause 70—(*Amendment of Act 6 of 1942*)

Mr. Chairman: There is an amendment, Amendment No. 15.

Shri Buta Singh: I move:

Page 33, line 20,—

for "and", *substitute* "or". (15)

As the hon. Home Minister has informed the House, these are consequential amendments and I want just to reassure myself by repeating the assurance given by the hon. Home Minister that, after the formation of these two States, they will be free to separate and have their High Courts. In the light of this assurance, I do not press this amendment.

Mr. Chairman: Has the hon. Member leave of the House to withdraw amendment No. 15?

Several hon. Members: Yes.

Amendment No. 15 was, by leave, withdrawn.

Mr. Chairman: The question is:

"That clause 70 stand part of the Bill".

The motion was adopted.

Clause 70 was added to the Bill.

Clause 71 was added to the Bill.

Clause 72—(*General provisions as to statutory corporations*)

Shri Gajraj Singh Rao: I beg to move:

Page 34, *after* line 33, *insert*—

"(3A) The Punjab Waqf Board constituted under the Waqf Act, 1954, shall have jurisdiction over the successor States of Punjab, Haryana and Himachal Pradesh.

(3B) The Board, which shall work under the directions of Central Government, shall consist of eleven members nominated by Central Government in the following manner—

(1) Haryana	6
(2) Punjab	3
(3) Himachal Pradesh	2." (111)

Mr. Chairman: This amendment is now before the House.

Shri Gajraj Singh Rao: The Punjab Waqf Act, 1954, has been in force in the united Punjab for the administration of the mosques, shrines etc. in all parts of its territory. For that purpose, there has been a board of eleven members already existing. After the reorganisation, some parts will go to Himachal Pradesh, some parts will be transferred to Himachal Pradesh and some will go to Punjab. There is reference in the clause to the board constituted under the Sikh Gurdwaras Act, and that provides for the proper administration of the Sikh Gurdwaras. In the same way, in regard to waqf properties, this amendment is very essential. Otherwise, that Act would disappear and the whole administration of these waqfs will come into trouble. Therefore, I have moved this amendment.

This is an innocuous amendment. It only provides for the continuation of what already exists, because the law relating to waqfs must continue so that the properties may not be squandered away by the *mutawallis* and other persons. Therefore, I would submit that the hon. Minister may accept this amendment.

Shri Nanda: These is no manner of doubt about the position of the Waqf Act. It does apply in all these areas, and, therefore, it is unnecessary to make a special provision in this behalf.

Mr. Chairman: Does the hon. Member want to press his amendment?

Shri Gajraj Singh Rao: If there is an assurance that this Act would remain in force in all the three areas, then I would not press it. I want to have this clarification from the hon. Minister. This Act is there in force in the united Punjab now. I would like to have an assurance that it would continue in all the three parts so that the property may not be squandered away by the *mutawallis* and other private persons.

Dr. M. S. Aney (Nagpur): It cannot be squandered away, because there is already a trust.

Mr. Chairman: I shall now put amendment No. 111 to the vote of the House.

Amendment No. 111 was put and negatived.

Mr. Chairman: The question is:

"That clause 72 stand part of the Bill".

The motion was adopted.

Clause 72 was added to the Bill.

Clause 73—(*Provision as to certain companies*)

Shri Nanda: I beg to move:

Page 35, *for* lines 1 to 10, *substitute*—

"Provision as to certain companies.

73. (1) Notwithstanding anything contained in the foregoing provisions of this Part, each of the following companies, namely:—

(i) the Punjab Export Corporation;

(ii) the Punjab State Small Industries Corporation;

(iii) the Punjab Dairy Development Corporation;

(iv) the Punjab Poultry Corporation;

(v) the Land Development and Seed Corporation;

(vi) the Industrial Development Corporation; and

(vii) the Agro-Industrial Corporation,

shall, on and from the appointed day and until otherwise provided for in any law, or in any agreement among the successor States, or in any direction issued by the Central Government, continue to function in the areas in which it was functioning immediately before that day; and the Central Government may from time to time issue such directions in relation to such functioning as it may deem fit, notwithstanding anything to the contrary contained in the Companies Act, 1956, (1 of 1956) or in any other law.". (87).

The main idea behind this amendment is this. In the clause as it is, three companies have been listed, namely the Punjab Export Corporation, the Punjab State Small Industries Corporation and the Punjab Dairy Development Coropration.

In the amendment there are several other similar institutions which were considered to be fit for inclusion in the legislation. That is why it has been done.

Mr. Chairman: The question is:

Page 35—

for lines 1 to 10, *substitute*—

"Provision, as to certain companies.

73. (1) Notwithstanding anything contained in the foregoing provisions of this Part, each of the following companies, namely:—

(i) the Punjab Export Corporation;

(ii) the Punjab State Small Industries Corporation;

(iii) the Punjab Dairy Development. Corporation;

(iv) the Punjab Poultry Corporation;

(v) the Land Development and Seed Corporation;

(vi) the Industrial Development Corporation; and

(vii) the Agro-Industrnal Corporation, shall, on and from the appointed day and until otherwise provided for in any law, or in any agreement among the successor States, or in any direction issued by the Central Government continue to function in the areas in which it was functioning immediately before that day, and the Central Government may from time to time issue such directions in relation to such functioning as it may deem fit, notwithstanding anything to the contrary contained in the Companies Act, 1956, (1 of 1956) or in any other law". (87).

The motion was adopted.

Mr. Chairman: The question is:

"That Clause 73, as amended, stand part of the Bill."

The motion was adopted.

Clause 73, as amended, was added to Bill.

Clause 74 —*(Temporary provisions as to continuance of certain existing road transport permits)*

Shri Buta Singh: I beg to move:

(i) Page 35,—

omit lines 31 to 35 (16)

(ii) Page 36,—

omit lines 4 to 7 (17).

There is going to be a division of two States. The present Motor Vehicles Act, 1939, will be applicable even after the division of these two States. I do not understand the necessity or the reason why the Central Government wants that the permits and licences issued under this Act should be subject to their power to add, to amend or vary the conditions attached to them.

I may inform the hon. Home Minister that the service rendered by the transporters of Punjab during the last Pakistani conflict is so valuable that at this stage if you want to introduce an element of uncertainty in their line, they are bound to suffer a heavy loss. There is no need at present to amend this Act which I have mentioned, namely the Motor Vehicles Act, 1939.

I may inform the hon. Home Minister that more than 90 per cent of the transporters belong to a particular community which has been very strongly supporting the demand of Punjabi Suba. By taking some power to alter, amend or add to or subtract from the provisions of the permits and the licences issued to those people, you will certainly be creating some suspicion in their mind. There is no need for the Cenral Government to take over any power because both the Governments of Hariyana and Punjab will be competent to make any amendment whatsoever if it is desired. So, I request the hon. Home Minister not to ask for this power because it is bound to create an atmosphere of sucpicion and uncertaintly in the Punjab.

श्री गुलशन : सभापति जी, मैं भी इस अमेंडमेंट पर कुछ कहना चाहूंगा, जब जब नये नये राज्य बने और पुनर्गठन हुआ, सेन्ट्रल गवर्नमेंट ने इस तरह की कड़ाई नहीं की, लेकिन जब पंजाबी सूबा बन रहा है तो उसके साथ ऐसा क्यों किया जा रहा है। इस किस्म का प्राविजन करने से ऐसा मालूम होता है कि यह असली स्टेट नहीं, बल्कि रिजनल फार्मूले का ही दूसरा रूप है। इस लिये मैं

[श्री गुलशन]

चाहूंगा कि ट्रांसपोर्ट परमिट वगैरह का काम अपने-अपने राज्य में ही होना चाहिये, जैसी कि पहले रिजनल ट्रांसपोर्ट अथारिटी और स्टेट ट्रांसपोर्ट अथारिटी हुआ करती थी, उसी तरह से जो नये राज्य बने हैं, उनकी भी अपनी अपनी ट्रांसपोर्ट अथारिटी होनी चाहिये ।

Shri D. C. Sharma (Gurdaspur): Sir, I beg to submit very respectfully that there it no idea of making any community suffer on account of this provision. The transport of the State belongs to all and we are all praise for its efficiency and the patriotic work that it did during the Indo-Pakistan conflict. At the same time I do not know why they are taking objection to this privoso which begins 'provided the Central Government..' After all the whole of this Bill has been brought forward by the Central Government; the Central Government is responsible for the Hariyana State, the Punjab, Chandigarh and all that thing. I do not understand why they think that this small power should not be retained by the Central Government. The Central Government can any day declare the President's rule in any of the States. I do not think that this power is going to be abused or that it is going to work against any community, Hindu, Sikh, Muslim or Christian. My friends do not know how difficult some of the transporters of Punjab find to come to Delhi. Sometimes I want to bring a taxi from Chandigarh to Delhi; they say: We require a permit.

श्री जगदेव सिंह सिद्धांती : हम से परमिट लीजिये । यू० पी० में भी तो आप लेते हैं ।

Shri D. C. Sharma: Jagdev Singh Siddhantiji is trying to out-herod herod. When the Hariana Prant is formed I think I will not be able to proceed from Chandigarh beyond Ambala and my taxi river will have to take a permit. I think that this is very important in the interest of the smooth flow of traffic between these States. I think it is a kind of common link. The provision says:

> "Provided that the Central Government may, after consultation with the State Government or Governments concerned, add to, amend or vary the conditions...."

If they want to vary the conditions, they will consult the state governments; they are not going to do anything in an arbitrary, autocratic and dictatorial manner. Therefore, it is a very harmless thing and I think this should be passed.

Shri Nanda: These amendments are unnecessary; there is no ground for them. If the hon. Members referred to the States Reorganisation Act, it is practically on the same terms; on the same lines also in the Bombay Reorganisation Act. No difficulty has arisen there. The purpose would be seen from the wording of the Bill. It is a temporary provision. The idea is that here they are affecting a change. The Central Government wants to ensure that the free flow of traffic is not interrupted in the interim period. Therefore, it is only to help the trade and the flow of traffic and the smooth operation of traffic and transport. There should be no difficulty at all about it in practice.

श्री जगदेव सिंह सिद्धान्ती : लेकिन यह तभी तक है जब तक दोनों राज्य एक हैं ।

Shri Nanda: As long as the present permits last.

Mr. Chairman: I shall put amendments Nos. 16 and 17 to the vote of the House.

Amendments Nos. 16 and 17 were put and negatived.

Mr. Chairman: The question is:

"That clause 74 stand part of the Bill".

The motion was adopted.

Clause 74 was added to the Bill. Clauses 75 and 76 were added to the Bill.

Clause 77 —(*Continuance of facilities in certain State institutions*)

Mr. Chairman: There is amendment No. 18 to clause 77.

Shri Buta Singh: I move:

Page 37, lines 20 and 21, *omit* "or the Union territory of Chandigarh," (18).

As reported in the press today, Shri Nanda was very particular in stating that there will be no revision of Chandigarh as in so many other provision. The hon. Home Minister has been saying that this is a temporary arrangement. Let him say that at present this Chandigarh also is a temporary arrangement and that it will be open for discussion and decision afterwards,—a political decision.

श्री गुलशन : सभापति जी, मैं यह कहना चाहता हूं, और एक दफे नहीं बहुत दफे कहा जा चुका है, और मैं गृह मंत्री जी से प्लीड करूंगा, कि उनको इस बात को मान ही लेना चाहिये कि चंडीगढ़ का आस पास और चंडीगढ़ की जो भूमि है वह सब पंजाब से मिली हुई है, और उसी में सम्मिलित है। इस लिये उस को पंजाब में ही छोड़ दिया जाये। उस को सेंट्रल गवर्नमेंट के कब्जे में न लिया जाये। वहां के लोगों ने बहुत मेहनत की है बहुत काम किया है और उस को रखने का पंजाब को ही हक है। चंडीगढ़ को पंजाब में ही रहना चाहिये। मैं चाहूंगा कि होम मिनिस्टर साहब मेरी इस बात को मान लें।

श्री जगदेव सिंह सिद्धान्ती : हम लोग भी उस में शामिल हैं। हम ने उन से भी ज्यादा मेहनत की है। वह हमारा एरिया है और उस को हरयाना में ही रहते देना चाहिये।

Shri D. C. Sharma: I think the arrangement arrived at already with reference to Chandigarh should stand. I find some people are staging a demonstration outside, saying that it should belong to Haryana; there are some persons who want that Chandigarh should belong to Punjab and some persons who want, as I want, that it should stay as a Union territory. Chandigarh is like a very blushing bride who is being sought by two suitors—Punjab and Haryana pranth. I think we should protect that bride and Chandigarh should stay as it is, and I do not want that the Home Minister should give any assurance that after sometime it would be handed over to Haryana or to Punjab, because, if he does so, I will tell you that he will be opening the floodgates of agitation from today. Therefore, whatever is said in this clause should stay as it is, and we should respect Chandigarh as a Union territory and we should try to beautify it and adorn it and try to imporve it and try to make it as fine as possible.

As I said in the beginning, Chandigarh is not Punjab or Haryana; Chandigarh is not Delhi. Chandigarh is the show-window of India, and its character of being the show-window of India should be preserved.

श्री दलजीत सिंह (उना) : चंडीगढ़ अब से यूनियन टेरिटरी बना रहे हैं इस के पहले से जो वहां का नुमाइन्दा एम० एल० ए० होता था वह पंजाबी रीजन में बैठता था और उस को हम पंजाब में ही शामिल करते थे। इस लिये उस को पंजाब में ही जाना चाहिये। अगर सरकार को उस को यूनियन टेरिटरी ही बनाना है तो उस पर 150 करोड़ रुपया लगा हुआ है। वह इन दोनों स्टेटों को दे दिया जाये ताकि वह अपना-अपना हेडक्वार्टर बना लें, उस के बाद सेंट्रल गवर्नमेंट उस को यूनियन टेरिटरी बना ले।

श्री जगदेव सिंह सिद्धान्ती : आप का पटियाला है।

Shri Bade: I want one clarification from the hon. Minister. The Boundary Commission when it was appointed, recommended that Chandigarh should remain in Haryana; that was the decision. I want to know why the Government have not followed that advice; the Minister has not replied to that point in his speech. Besides, Chandigarh is just like two beggars who were fighting amongst themselves.

"तुम्हें नहीं चाहिये, हमें नहीं चाहिये, डाल कुत्ते को"

It is neither given to Punjab nor to Haryana; it has been made a Union territory. That is not the proper solution. I want the Minister to enlighten us as to why he has chosen a new proposal of making Chandigarh a Union territory.

Shri Warior (Trichur): This Government is always accused as a Government of indecision and drift. If the Chandigarh question is left like that, it will be a bone of contention for years to come. Right or wrong, Government must take a definite decision whether it will go to Haryana or Punjab. It cannot remain a Union Territory because then the franchise of the people is taken away. It will become not only a law and order problem, but a very dangerous and explosive question in Punjab. It is not yet too late; even now the Government can take a definite decision, right or wrong, let us face it. That must be the Government's attitude. Otherwise, it will be a repetition of the Bombay episode.

Shri Kapur Singh: My friend, Shri Bade, said that two beggars are fighting and what they are fighting for has been thrown before the dog. To call the Punjabis and Haryana people beggars is bad enough. But to call the Union Government presided over by Mr. Nanda as a dog is very bad; I protest against it. It is most improper and should be withdrawn.

Shri Bade: On a personal explanation, Sir; that was only a simile or metaphor. If my hon. friend is not able to appreciate it, I withdraw those remarks. I have got the greatest respect for Punjabis and Haryana people; they are my brothers.

Shri Nanda: My hon. friend, Shri Warior, asked, why don't you take a decision here and now? Why leave it in this fashion undecided? It is not undecided; it is decided.. Here is a very strong plea coming from one side and an equally strong claim from the other side. I do not know if the hon. member wants to have trouble created there. We try to avoid trouble. There is enough trouble elsewhere. In this case, there are good reasons for this decision. It was not a unanimous recommendation of the Boundary Commission. Therefore, it was open to us to consider what would be the best arrangement in the present circumstances. Everybody in his heart of hearts—either from Haryana or Punjab—will feel that it is all right. Let it be there. I bow to the wishes of Shri D. C. Sharma who said that there is no kind of uncertainty or indefiniteness about it.

Mr. Chairman: I will now put amendment 18 to the House.

Amendment No. 18 was put and negatived.

Mr. Chairman: The question is:

"That clause 77 stand part of the Bill."

The motion was adopted.

Clause 77 was added to the Bill.

Clause 78 was added to the Bill.

Clause 79—(*Bhakra Management Board*)

Mr. Chairman: Then we come to clause 79. The amendments are: 19, 20, 21, 22, 40, 112, 113, 129, and 130.

Shri Buta Singh: Sir, I beg to move:

(i) Page 40, line 1,—

for "Central Government" *substitute*—

"Punjab Government" (19)

(ii) Page 40, line 20,—

for "Central Government" *substitute*—

"Punjab Government" (20)

(iii) Page 40,—

for lines 23 and 24, *substitute*—

"(a) Governor of Punjab as *ex-officio* Chairman." (21)

(iv) Page 40,—

omit lines 30 and 31 (22)

Shri Daljit Singh: Sir, I beg to move: Page 40,—

after line 31, *insert*—

"(d) The elected member of Parliament representing that constituency to be a member of the Board." (40)

Shri Gajraj Singh Rao: Sir, I beg to move:

(i) Page 40,—

for lines 18 and 19, *substitute*—

"(i) Sub-stations at Ganguwal, Ambala, Panipat, Delhi, Ludhiana, Sangrur and Hissar as well as the main 220 KV transmission lines connecting these sub-stations and power stations mentioned in sub-clauses (d) and (e)." (112)

(ii) Page 40—

for lines 23 and 24, *substitute*—

"(a) a full time Chairman and two full time Members to be appointed by the Central Government." (113)

Shri A. N. Vidyalankar (Hoshiarpur): Sir, I beg to move:

(i) Page 40,—

for lines 18 and 19, *substitute*—

"(f) Sub-stations at Ganguwal, Ambala, Panipat, Delhi, Ludhiana, Sangrur and Hissar as well as the main 220 KV transmission lines connecting these sub-stations and power stations mentioned in clauses (d) and (e) of sub-section (1); and" (129)

(ii) Page 40,—

for lines 23 and 24, *substitute*—

"(a) a full time Chairman and two full time members to be appointed by the Central Government;" (130)

Shri Buta Singh: Sir, I take up my amendment No. 19. My hon. friend, Shri D. C. Sharma, will object to my remarks, I know, because I am objecting to the approach of the Central Government to the reorganisation of the proposed States. We know Bhakra Dam is a national wealth and the only big project in Punjab. By clause 79(1) the Central Government again wants unnecessarily to put its foot on the management of this Board. It was under the management and it will remain there. Where is the necessity for the Central Government to take it over from the State in which the Dam exists. I object to the provision here:

"The Central Government shall constitute a Board to be called the Bhakra Management Board.. .."

I suggest that instead of "Central Government" it should be "Punjab Government" because, otherwise, it is going to give an impression in the State that all that is valuable, all that is of national importance, shall be taken over by the Central Government. It is to remove this impression that I want the hon. Minister to accept my amendment. Let the Punjab Government, which is so much under the Centre—the Governor is

[Shri Buta Singh]

there, they have a majority here and they will be in majority there also—manage it. Where is the need for the Central Government to take over the headache of running this Board when the Punjab Government is running it. Let the Punjab Government continue to manage the affairs of this Board.

श्री गुलशन : आपने कहा है कि भाखड़ा बोर्ड जो बनेगा उसको सेंट्रल गवर्नमेंट बनायेगी। समझ में नहीं आता है कि ऐसा क्यों किया जा रहा है। जब भाखड़ा बना था तब पंजाबियों को उजाड़ कर दूसरी जगह भेजा गया था। जहां से भाखड़ा आरम्भ होता है वहां से किसी भी तरफ की नहर को आप लें, राजस्थान की तरफ जाने वाली को ले लें या नरवाना ब्रांच वाली नहर को ले लें सभी नहरें पंजाब के किसानों की जमीन से निकली हैं। जब पंजाब के किसानों की जमीन से सभी नहरें निकली हैं तो पंजाब के लोगों को इस तरह से बांधे रखा जाए कि वहां की सरकार बोर्ड भी नहीं बना सकती है, मैं समझता हूं कि एक बहुत बड़ा अन्याय है। जो भी पंजाब की कोई अच्छी चीज है उसको अपने हाथ में ले कर या उसमें दूसरों को सम्मिलित करके आप पंजाब को बिल्कुल बेजान कर रहे हैं। मैं चाहता हूं कि भाखड़ा बोर्ड बनाने का अधिकार पंजाब को दिया जाना चाहिये और मुझे खुशी होगी अगर होम मिनिस्टर साहब इस एमेंडमेंट को परवान कर दें।

श्री दलजीत सिंह : सभापति महोदय, इस क्लाज के बारे में मुझे यह अर्ज करना है कि जिन तजुर्बेकार इंजीनियर्स ने भाखड़ा डैम को बनाया है उन्होंने इतनी काबलियत से काम किया है कि उन्होंने राजस्थान तक पानी और बिजली की सप्लाई में कोई तकलीफ नहीं आने दी। इस बारे में उनका काम बिल्कुल संतोषजनक रहा है। मैं समझता हूं कि पंजाब के जिन तजुर्बेकार इंजीनियरों ने इतना अच्छा काम किया है, यह काम उन के सुपुर्द ही रहना चाहिए, ताकि वे वैसे ही काम करते रहें। उन में हरयाणा प्रान्त और हिमाचल प्रदेश के भी इंजीनियर रहे होंगे। मैं उन में कोई इम्तियाज नहीं करता हूं। मैं सरकार से यह रिक्वैस्ट करूंगा कि अगर उस ने यह काम अपने हाथ में लेना है, तो उस पर जो 170 करोड़ रुपया लगा है, जो कि कर्जा है, सरकार उस को अपने जिम्मे ले ले।

सरकार को इस बारे में तीनों स्टेट्स को विश्वास दिलाना चाहिए कि जैसे काम पहले चल रहा था, वैसे ही चलना चाहिये और उस में किसी किस्म की कमी न आए। पहले कम्पैक्ट काम हो रहा था और कहीं कोई रुकावट नहीं आती थी। कहीं ऐसा न हो कि वहां पर ऐसे आफ़िसर भेज दिये जायें, जो लोगों की बात को न सुनें और काम न हो। सरकार को इस तरह का इन्तजाम करना चाहिये कि स्टेट्स को पहले की तरह पानी और बिजली मिलते रहें। वहां के इंजीनियर्ज वग़ैरह की सर्विसिज सिक्युर होनी चाहिये। उन स्टेट्स की से एक्सपर्ट नए आदमियों को इस काम के लिए ले लिया जाए, ताकि लोगों को यह ग़लतफहमी न हो कि बाहर के लोग आ गए हैं और हमें कोई पूछता नहीं है।

Shri A. N. Vidyalankar: The Bhakra Project is a national project and it is but proper and beneficial for all the States, Himachal, Haryana and Punjab as also for Delhi, that the main project should be managed by the Centre so that the various inter-State disputes should not arise. Water and other inter-State disputes arise and they take a lot of time; therefore, I think that it is but proper that this project should be managed by the Centre.

My suggestion was and I think the Government is going to accept that, that the main transmission lines and

main sub-stations should also be controlled by the Central board and from there each State should get its bulk supplies according to its requirements. This is but proper and useful.

Also, instead of one Chairman, there should be a wholetime Chairman and two whole-time members because the work would be heavy. It is but proper that more officers should be appointed to manage this big project.

Therefore I have moved this amendment, No. 130. I think, the Government is going to move one. If the Government amendment should be differently worded, I do not object, provided the substance should be the same. I think that this amendment should be accepted.

Shri Gajraj Singh Rao: So far as Bhakra is concerned, the papers are still there—they have not been destroyed—it was meant for Haryana to compensate it as against the already existing system of irrigation in Punjab and with great sacrifice it was obtained. Further, it is a national scheme of a high order; it is not a State scheme or a two-States scheme. It is a national scheme. That we have been deprived of the benefit for some time should not be the ground now. Now, as to the amendment which I have given, Amendment No. 112, there have been omissions in the original clause 79(f). Ganguwal, Ambala, Hissar and Delhi are mentioned in the sub-clause (f). Panipat, Ludhiana and Sangrur were by mistake not mentioned. They are as important or rather more important and they are the life-line. Further, the main 220 KV transmission lines should also be there. Then there is my Amendment No. 113. This is a technical matter. Unless that control is with the Board—and we have consulted the highest technical authorities on it—it may not be possible for the civil servants board to have it. Therefore, I have suggested this amendment that a full time Chairman and two full time Members be appointed by the Central Government. The whole thing is technical. That would be in the best interest of not only Punjab but the whole country. I commend my Amendments No. 112 and 113 for the acceptance of the House. If they want any technical advice, that may be taken.

श्री जगदेव सिंह सिद्धान्ती : महाराज बिलासपुर से मिल कर हरयाणा के रहबरे—आजम, सर छोटू राम, ने यह योजना बनाई थी । जैसा कि श्री गजराज सिंह राव ने कहा है—वह शुरू से उस के साथ एटेच्ड रहे हैं—, भाखड़ा डैम विशेषतया हरयाणा के लिए था : अगर पंजाब के भाइयों की जमीन इस में आती है, तो उन्होंने बिजली और पानी का पूरा फायदा भी उठाया है । इसलिए यह एहसान किस पर है ? इस लिए श्री गजराज सिंह राव की एमेंडमेंट को स्वीकार करना चाहिए और उन के कथनानुसार कार्य करना चाहिए ।

Shri D. C. Sharma: I wish to correct one impression which has been given out by the Members here. They say that the Maharaja of Bilaspur was the architect of this scheme. I tell you that the scheme was only on a piece of paper and only in lines of black and white. It was only after India achieved Independence that Pandit Jawaharlal Nehru thought of implementing that scheme and got a full blue-print of the scheme made. Therefore, to say that it was the Maharaja of Bilaspur who was the architect of this is not correct.

श्री जगदेव सिंह सिद्धान्ती : असली तो वही हैं । माननीय सदस्य को पता नहीं है ।

Shri D. C. Sharma: I know it very well. I represented that constituency for five years and I know it very well. The second thing is this that, as has

[Shri D. C. Sharma]

been said, it is a national project. Sir, when we think in terms of a national project, we should try to make it more national than before. We should not take away its national character in any way. I believe that whatever has been proposed will be conducive to making it a national project which serves the cause of Punjab, Haryana, Rajasthan and Himachal Pradesh also. It will give some States water and it will give other States electricity. Therefore, I believe, that whatever has been proposed is very unexceptionable. But I would say that so far as the State of Punjab is concerned, because most of the lines of most of the canals pass through the State of Punjab, I think, it should be given two representatives. Rajasthan and Haryana should be given one representative each. My friend said that the Chairman should be a whole-time man and that the two Members should be whole-time men. We talk of population explosion in the country. But more dangerous than the population explosion is the bureaucratic explosion in this country.

Shri A. N. Vidyalankar: Is he moving an amendment?

Mr. Chairman: He is speaking.

17 hrs.

Shri D. C. Sharma: He thinks himself to be the Home Minister. I have a right to speak.

Mr. Chairman: Nobody has questioned his right to speak. Now he may be brief in what he wants to say.

Shri D. C. Sharma: There is the population explosion and we have that loop. But the explosion of bureaucracy in this country is much more dangerous than the population explosion. Every day we are thinking of new Chairmen, new Members, wholetime Chairmen, wholetime Members, etc. Our expenses have gone up so much. Therefore, there should be no wholetime Chairman or wholetime Members. The Clause should stand as it is now and I support it.

Mr. Chairman: Before I call upon others to speak, I may announce that the hon. Minister for Irrigation and Power will make a statement at 5.30 P.M. on Idikki Project.

Mr. Kachhavaiya.

Shri Nanda: This Bill has the highest priority. Therefore, I hope that this would be concluded and then the statement will be made.

Mr. Chairman: All right.

Mr. Kachhavaiya.

श्री हुकम चन्द कछवाय (देवास) : मैं एक जानकारी चाहता हूं । हमें यहां कितने समय तक और बैठना पड़ेगा और ज्यादा समय तक बैठना पड़ेगा तो कितने समय बैठने के बाद छुट्टी मिलेगी और क्या जैसे कल सेशन चला वैसे ही चलता रहेगा तो जैसे कल दिक्कतें आईं वैसे ही आज भी आयेंगी ?

सभापति महोदय : नहीं, कोई दिक्कत नहीं आयेगी ।

श्री हुकम चन्द कछवाय : दूसरे, यह जो बीड़ी मजदूरों वाला बिल है यह कब तक आने वाला है ?

सभापति महोदय : वह भी आयेगा इस के बाद ।

श्री बड़े : सभापति महोदय, यह जो झगड़ा अभी चल रहा है भाखरा नंगल के बारे में और हमें उस पर वोट देना है तो हमारे सामने यह समस्या आ जाती है, वहां के सिख लोग गुरू गोविन्द सिंह जी को पूजनीय मानते हैं और हिन्दू लोग राणा प्रताप सिंह को पूजनीय मानते हैं ..

श्री जगदेव सिंह सिद्धान्ती : और हरयाणा के कहां गए ?

श्री बड़े : हरयाणा के जो हिन्दू हैं वह तो राणा प्रताप सिंह और शिवाजी के समान हमारे लिए हैं । ...(**व्यवधान**) लेकिन दोनों का झगड़ा सुनकर मुझे एक बात याद आ गई, दो मिनट में निवेदन करता हूं । भाखरा नंगल के लिए आप लोगों का कहना है कि पंजाबी भाइयों ने तैयार किया और इन का कहना है कि हरयाणा वालों ने तैयार किया । अब हमें जो वोट देना है तो हमारे सामने वैसी ही समस्या आ जाती है जैसे कि एक मैजिस्ट्रेट के सामने आ गई थी जब कि एक लड़के को ले कर दो मातायें झगड़ा करती हुई उस के सामने आई । वह कहती थी कि 'यह मेरा लड़का है और दूसरी कहती थी कि नहीं, यह लड़का मेरा है । मैजिस्ट्रेट के सामने सवाल पैदा हुआ कि किस को कहे कि यह लड़का तुम्हारा है । तो उसने चपरासी को बुलाया और कहा कि इस के दो टुकड़े करो एक एक दोनों माताओं को दे दो । तो जो सच्ची माता थी उस ने कहा कि नहीं नहीं, इसे काटो मत, दूसरी को दे दो । तो मेरा कहना यह है कि पंजाबी भाई अपने को सच्ची माता समझते होंगे कि उन्होंने बनाया है तो उन्हें यह कहना चाहिए कि अच्छा, हरयाणा को ही दे दो । तो कोई झगड़ा नहीं रहेगा । लेकिन वह ऐसा नहीं कहते, इसलिए इसमें मुझे सन्देह हो रहा है ।

Shri Narendra Singh Mahida (Anand): I wanted to say the same thing as my hon. friend Shri Hukam Chand Kachhavaiya was saying. We must fix some time for the passing of this Bill and we must know up to what time we are going to sit. That is the information that I would like to have.

Today being the last day of the session, may I know whether we are finishing this Bill? Up to what time are we sitting? May I also know whether any other business listed will be taken up?

The Minister of State in the Ministry of Irrigation and Power (Dr. K. L. Rao): It is a great honour to be associated with any discussion on the Bhakra system and the Bhakra dam. That is standing as the greatest achievement of India. It is a pride not only for the Punjab but also for Hariana and Himachal Pradesh. We from all parts of India feel proud of it, and more so because it has been done entirely by the Indian engineers with little assistance from foreigners. Here, I must pay my respects to the very excellent engineers from both Hariana and the Punjab who have constructed this magnificent monument for us, which is standing as a solid secular example of our integrated India.

I quite appreciate the argument when hon. Members say that it should be with Punjab. That is because they feel proud of it and they naturally would like to say that it must be there with Punjab. But, unfortunately, this reorganisation has brought in some problems.

For instance, except for the damsite, the rest of the structures the reservoir of the Bhakra Dam, the dam and the reservoir for the Beas, the Beas Dam, and then the whole system of the Beas-Sutlej are all in Himachal Pradesh; and these have nothing to do with Punjab, and practically the entire system and the entire project is in Himachal Pradesh. Therefore, tomorrow if this argument persists, the people of Himachal Pradesh may come up and say that the whole project must be given to them.

There is another thing which is more important than this, and I am saying this purely as an engineer. It is that the Bhakra dam and the reservoir must serve our Indian Union for the next five hundred years. It

[Dr. K. L. Rao]

has recently been found that there is more silting of the reservoirs than what we had anticipated at the time of its building up. This silting has to be overcome by soil conservation measures, and this we are doing. But more important than the soil conservation scheme is the undertaking of the construction of another dam on the Upper Sutlej, on the higher portions of the Upper Sutlej. We are already thinking of it, and we are thinking of constructing a dam about 800 to 1000 feet high in order to give not only greater benefit to us but also to arrest the silting so that the Bhakra reservoir may last not only for five hundred years but even for a longer period. When such big problems are involved it is but natural that the Centre must take over the management of this and must look after this. I am saying this purely as an engineer. I am not talking of it in any parochial way or anything like that. I am purely submitting to the House that all of us should be unanimous in this that the Bhakra system must flourish and must serve this nation for as long a time as possible and for this purpose the Centre must take it over. The fact that the Centre takes it over does not mean anything; it does not mean any disorganisation or anything of that kind.

Another important feature in regard to hte Bhakra system is that we are transferring the waters from the Ravi into the Beas, and from the Beas into the Sutlej and then from the Sutlej into the Jamuna. There is thus a complete transference of this water. So far as the canals are concerned, the canals start in Punjab, then they go to Hariana, and then again they serve areas in Punjab. It is a highly complicated system. The Bhakra main canal serves some area in the Punjab, then some area in Hariana, and then it again goes a little down and serves the Punjab and Hariana. So, it is a very complicated system.

Also, it is not only the case of Punjab and Hariana. There is also the State of Rajasthan which is going to depend very much on these projects. When the Indus Treaty comes into force, (the treaty which we have negotiated with Pakistan), in full, in 1970 or 1973, after the transition period is over, then there will be a greater burden thrown on this whole system, and the management of the whole waters and the electrical system would then become important. The electrical power here is going to be as much as 2 million k.w. One of the biggest power system will be here. I am not thinking of today, but I am thinking of the day when the dam on the Sutlej is constructed, when a greater amount of power is going to be generated, when we are going to have the Salal shien dams and many other dams. So, we are going to develop a large amount of power in this system. When all this comes into being, it is going to be one of the mighty systems in this country.

Therefore, in regard to a system like this, I would hope that it would be really in the best interests of the country that its management should be with an organisation which is common to all, in which everybody is interested.

Prof. Sharma said something about population explosion. There may be a population explosion, but not an engineer explosion. The whole management has to be done by a large body of engineers. Two engineers we are suggesting in this connection is the very minimum to manage such a hyge system.

Therefore, I would submit that this amendment may be passed as proposed by the Government.

Shri Nanda: I may just add a word. Hon. Members when insisting that the existing system should continue lose sight of the fact that because they wanted and others wanted and many people wanted, there has been a big change. There was then one Punjab

and a very small interest of Rajasthan. Even then there were complaints and difficulties, but now Haryana has a larger interest in irrigation than even Punjab. How is it possible now to create that sense of assurance that everything will be equitably managed? Also, for the sake of efficiency of administration, I think it is necessary that the Central Government takes it and administers this.

As for hon. Member, Shri Vidyalankar, I would accept these amendments, but I have some verbal changes.

Shri D. C. Sharma: No wholetimers. I will call a division on that amendment.

Shri Nanda: These wholetimers are going to be experts.

Mr. Chairman: Now I will put the amendments.

Shri Buta Singh: I spoke only on Amendment 19.

Mr. Chairman: I am sorry I cannot help it. I put Amendments 19, 20, 21, 22 and 40.

Amendments 19 to 22 and 40 were put and negatived.

Shri Nanda: I beg to move:

Clause 79. At page 40—

(i) *for* lines 18 and 19,

substitute

"(f) Sub-stations at Ganguwal, Ambala, Panipat, Delhi, Ludhiana, Sangrur and Hissar and the main 220 KV transmission lines connecting the said sub-stations with the power stations specified in clauses (d) and (e); and"

(ii) *for* lines 23 and 24,

Substitute

"(a) a whole time Chairman and two whole time members to be appointed by the Central Government;"

Shri Surendranath Dwivedy: Shri Vidyalankar should withdraw his amendments, and this amendment will be accepted, that is the procedure.

Shri Nanda: I have moved an independent amendment.

Mr. Chairman: The purport of the amendments Nos. 112, 113, 129 and 130 had been accepted by Government which has moved its own amendment.

Shri A. N. Vidyalankar: We accept that and withdraw our amendments.

Shri Gajraj Singh Rao: I withdraw my original amendment.

Mr. Chairman: Have the hon. Members leave of the House to withdraw amendments Nos. 112, 113, 129 and 130?

Amendments Nos. 112, 113, 129 and 130 were, by leave, withdrawn.

Mr. Chairman: I shall put the amendment just now moved by the hon. Minister to the vote of the House.

Mr. Chairman: The question is:

Clause 79. At page 40

(i) *for* lines 18 and 19

Substitute

"(f) Sub-stations at Ganguwal, Ambala, Panipat, Delhi, Ludhiana, Sangrur and Hissar and the main 220 KV transmission lines connecting the said sub-stations with the power stations specified in clauses (d) and (e); and".

(ii) for lines 23 and 24,

Substitute

"(a) a whole time Chairman and two whole time members to

[Mr. Chairman]

be appointed by the Central Government;"

The amendment was adopted.

Mr. Chairman: The question is:

"That clause 79, as amended, stand part of the Bill."

The motion was adopted.

Clause 79, as amended, was added to the Bill.

Clause 80— (*Construction of Beas Project.*)

Shri Hem Raj: Sir I have an amendment to clause 80, No. 56.

Page 44, line 16,—

for "Punjab, and Rajasthan" *substitute*—

"Punjab, Rajasthan and Himachal Pradesh." (56)

श्री हुकम चन्द कछवाय : आपकी अनुमति से मंत्री महोदय से जानना चाहता हूं कि मुझे अपनी व्यक्तिगत जानकारी से पता लगा है कि हमारे प्रधान मंत्री आज काश्मीर गये थे, लेकिन अनायास वापस लौट आये । ऐसा प्रतीत होता है कि वहां पर अनायास हमला हो गया है । आखिर इस में क्या विशेष बात हो सकती है कि अभी गये और अभी वापस आ गये ।

Mr. Chairman: I think it might be bad weather.

Shri Nanda: Yes, bad weather.

श्री हुकम चन्द कछवाय : मुझे सुनाई नहीं पड़ा, सरकार ने क्या कहा है ?

सभापति महोदय : शायद काश्मीर का मौसम खराब है, जिसकी वजह से जहाज वहां नही पहुंच सका ।

श्री हुकम चन्द कछवाय : सरकार ने कुछ नहीं बताया ।

सभापति महोदय : मैं अदब से अर्ज करूंगा कि आप अच्छी तरह से बैठेंगे तो मैं आपकी कद्र करूंगा । आप मुझे कार्यवाही को चलाने दीजिये ।

Shri Hem Raj: The reason for my amendment is this. A control board is established for the management of the Beas dam and that is mostly situated in Kangra district which is to come to Himachal Pradesh. Therefore, the Himachal Pradesh Government should also be consulted in all these matters and any scheme connected with Beas should have the concurrence of Himachal Pradesh Government also. Therefore, I suggest that along with Rajasthan, Himachal Pradesh should also be included.

Shri D. C. Sharma: I second the proposal made by Shri Hem Raj.

Shri Nanda: On behalf of the Union territory it is the Central Government which has to make the necessary arrangements.

Mr. Chairman: I shall now put the amendment to the vote.

Amendment No. 56 was put and negatived.

Mr. Chairman: The question is:

"That clause 80 stand part of the Bill."

The motion was adopted.

Clause 80 was added to the Bill.

Clauses 81 to 83 were added to the Bill.

Clause 84— (*Power of Central Government to give directions*)

Shri Buta Singh: I beg to move:

Page 47, lines 3 and 4,—

(i) line 3, *for* "territories" *substitute* "territory".

(ii) line 4, *omit* "and Chandigarh" (23)

This is again a question about Chandigarh. I want only to repeat what I had said, and I request the hon. Home Minister to treat Chandigarh as part of Punjabi Suba, that is, Punjab.

17.21 hrs.

[MR. DEPUTY-SPEAKER *in the Chair*]

I have come across another error, if I may say so; it is mentioned in this clause that the Central Government may give such directions to the State Governments of Punjab and Haryana and to the administrators of the Union territories of Himachal Pradesh and Chandigarh. To me, it appears that the Government was in such a hurry that they could not properly draft this Bill. There is no administrator in Himachal Pradesh; there is the Lt.-Governor and so, this word "administrator" does not apply to Himachal Pradesh. It may apply to Chandigarh. I think this shows the haste and the half-hearted approach of the Government in drafting this Bill. I request that at least this change will be made, because there is no administrator in Himachal Pradesh. There is the Lt.-Governor there and so the word "Lt.-Governor" may be substituted as regards the State of Himachal Pradesh.

Shri Nanda: The hon. Member will see the definition of the word administrator, which means "the administrator of a Union territory appointed by the President under articles 239 of the Constitution". It does not refer only to Chandigarh; it is general.

Shri Buta Singh: The designation in Himachal Pradesh is Lt.-Governor.

Shri Nanda: He functions as the administrator.

Mr. Deputy-Speaker: Does the hon. Member press the amendment?

Shri Buta Singh: I beg leave to withdraw the amendment.

Amendment No. 23 was, by leave, withdrawn.

Mr. Deputy-Speaker: The question is:

"*That clause 84 stand part of the Bill.*

The motion was adopted.

Clause 84 was added to the Bill.

Clause 85— *Provision as to Punjab Public Service Commission*)

Shri Nanda: I beg to move:

Page 47,—

(i) *for* lines 8 to 11, *substitute*—

"Provisions as to State Public Service Commissions.

85. (1) The Public Service Commission for he existing State of Punjab shall, on and from the appointed day, cease to exist.

(2) The person holding office immediately before the appointed day as chairman of the Public Service Commission for the existing State of Punjab shall become the chairman of the Public Service Commission for the State of Haryana or Punjab as the President shall, by order, specify and every other person holding office immediately before that day as member of that Commission shall become a member, or if so specified by the President, the chairman, of such one of the said Commissions as the President shall, by order, specify.

(3) Every person who becomes the chairman or other member of a Public Service Commission on the appointed day under sub-section (2) shall—

(a) be entitled to receive from the Government of the

[Shri Nanda]

State conditions of service not less favourable than those to which he was entitled under the provisions applicable to him immediately before the appointed day;

(b) subject to the proviso to clause (2) of article 316, hold office or continue to hold office until the expiration of his term of office as determined under the provisions applicable to him immediately before the appointed day.";.

(ii) in line 12 *for* "(2)" *substitute* "(4)'. (123).

Shri Buta Singh: I beg to move:

Page 47, line 11, *for* "Punjab" *substitute*

"Haryana and the State of Punjab shall forthwith proceed to appoint its separate Public Service Commission." (24)

I would draw the attention of the hon. Home Minister to the point that there is no justification to keep the same Public Service Commission for more than one State.

An hon. Member: The Minister is coming out with an amendment.

Shri Buta Singh: I understand, but still, I want to impress upon the Home Minister this fact. I am glad that he has seen much force in our amendment and so he has brought himself amendment No. 123. I stress that my amendment be accepted, because it was based on a reasonable and very just grounds. Tha is why the hon. Home Minister thought it fit to bring his own amendment. Instead of that, my amendment may be accepted.

श्री जगदेव सिंह सिद्धान्ती : मैं भी सरदार बूटा सिंह का समर्थन करता हूं। हमारा पब्लिक सर्विस कमिशन अलग होना चाहिये।

श्री नन्दा : यही कुछ तो कर रहे हैं।

Mr. Deputy-Speaker: Does Mr. Buta Singh want his amendment to be put to vote?

Shri Buta Singh: Since there is already an amendment by the Home Minister, if he wants to take the credit, let him take it. I withdraw my amendment.

Amendment No. 24 was, by leave withdrawn.

Mr. Deputy-Speaker: I will now put the Government amendment 123.

Mr. Deputy-Speaker: The question is:

Page 47,—

(i) *for* lines 8 to 11, *substitute*—

"Provisions to to State Public Service Commissions.

85. (1) The Public Service Commission or the existing State of Punjab shall, on and from the appointed day, cease to exist.

(2) The person holding office immediately before the appointed day as chairman of the Public Service Commission for the existing State of Punjab shall become the chairman of the Public Service Commission for the State of Haryana or Punjab as the President shall, by order, specify and every other person holding office immediately before that day as member of that Commission shall become a member, or if so specified by the President, the chairman, of such one of the said Commissions as the President shall, by order, specify.

(3) Every person who becomes the chairman or other member of a Public Service Commission on the appointed day under sub-section (2) shall—

(a) be entitled to receive from the Government of the State conditions of service not less

favourable than those to which he was entitled under the provisions applicable to him immediately before the appointed day;

(b) subject to the proviso to clause (2) of article 316, hold office or continue to hold office until the expiration of his term of office as determined under the provisions applicable to him immediately before the appointed day.";

(ii) in line 12, *for* "(2)" *substitute* "(4)" (123)

The motion was adopted.

Mr. Deputy-Speaker: The question is:

"That clause 85, as amended, stand part of the Bill".

The motion was adopted.

Clause 85, as amended, was added to the Bill.

Clause 86— (*Amendment of Act 37 of 1956*).

Shri Buta Singh: I beg to move:

Page 47, *omit* lines 30 to 32. (25)

This is again relating to Chandigarh. I request him to accept my amendment.

Shri Nanda: I am not accepting it.

Mr. Deputy-Speaker: Then I will put amendment 25 to the House.

Amendment No. 25 was put and negatived.

Mr. Deputy-Speaker: The question is:

"That clause 86 stands part of the Bill".

Shri Hari Vishnu Kamath: With due deference to your experience and learning, I think the formula should be that such and such clause "do stand part of the Bill" and not "stands part of the Bill".

Mr. Deputy-Speaker: I am sorry, The question is:

"That clause 86 stand part of the Bill."

The motion was adopted.

Clause 86 was added to the Bill.

Clauses 87 and 88 were added to the Bill.

Clause 89—(Power to adopt laws).

श्री बूटा सिंह : बहुत दार के कहने से झूठ भी सच हो जाता है । लेकिन मैं होम मिनिस्टर साहब से सच बात कहता हूं कि जो अमेंडमेंट 26 है .

Mr. Deputy-Speaker: The House has rejected that. Therefore, amendment 26 is barred.

The question is:

"That clause 89 stand part of the Bill."

The motion was adopted.

Clause 89 was added to the Bill.

Clause 90— (*Power to construe laws.*)

Amendment made:

(i) Page 48,—

in line 30,—

for "90" *substitute* "90. (1)"

(ii) Page 49,—

after line 6, *insert*—

"(2) Any reference to the High Court of Punjab in any law shall, unless the context otherwise requires, be construed, on and from the appointed day, as a reference to the High Court of Punjab and Haryana.". (132)

(*Shri Nanda*)

Mr. Deputy-Speaker: The question is:

[Mr. Deputy-Speaker]

"That clause 90, as amended, stand part of the Bill."

The motion was adopted.

Clause 90, as amended, was added to the Bill.

Clause 91—(*Power to name authorities, etc., for exercising statutory functions.*)

Mr. Deputy-Speaker: There is one amendment. It is not being moved.

The question is:

"That clause 91 do stand part of the Bill."

The motion was adopted.

Clause 91 was added to the Bill.

Clauses 92 to 96 were added to the Bill.

Clause 97—(*Power to make rules.*)

Shri Nanda: There is a consequential amendment.

I beg to move:

Page 51, line 10, *for* "salary" *substitute* "salaries"; and line 11, *for* "Chairman" *substitute* "whole-time Chairman and whole-time members".

Mr. Deputy-Speaker: The question is:

Page 51, line 10, *for* "salary" *substitute* "salaries"; and line 11, *for* "Chairman" *substitute* "whole-time Chairman and whole-time members."

The motion was adopted.

Mr. Deputy-Speaker: The question is:

"That clause 97, as amended, stand part of the Bill."

The motion was adopted.

Clause 97, as amended, was added to the Bill.

First Schedule

Mr. Deputy-Speaker: Then we come to the First Schedule.

Shri Hem Raj: Sir, I beg to move:

Page 53, line 12,—

omit line 12 (57)

I have already advanced my reasons.

Amendment made:

Page 53,—

(a) in paragraph 1,—

(i) *omit* the heading "Name of patwar circle";

(ii) *omit* the heading "patwar circle No." and the figures thereunder;

(b) in paragraph 2,—

(i) *omit* the heading "Name of patwar circle";

(ii) *omit* the heading "patwar circle No." and the figures thereunder. (124)

(*Shri G. L. Nanda*)

Mr. Deputy-Speaker: Is Shri Hem Raj pressing his amendment?

Shri Hem Raj: Yes.

Amendment No. 57 was put and negatived.

Mr. Deputy-Speaker: The question is:

"That the First Schedule, as amended, stand part of the Bill."

The motion was adopted.

The First Schedule, as amended, was added to the Bill.

Second Schedule

Mr. Deputy-Speaker: There is a Government amendment to the Second Schedule.

Amendment made:

(a) At page 53, in paragraph 1,—

(i) *omit* the heading "Name of patwar circle";

(ii) *omit* the heading "Patwar circle No." and the figures thereunder;

(b) At page 54, in paragraph 2, in column 3,—

(i) *for* "No. and name" *substitute* "Name";

(ii) *omit* the figures "70", "71", "72", "79" and "80";

(c) At page 55,—

in para 4, in column 3,—

(i) in the heading, *for* "No. and name" *substitute* "Name";

(ii) *omit* the figures "1", "2", "14", "15", "16", "20" and "22". (125).

(*Shri G. L. Nanda*)

Mr. Deputy-Speaker: The question is:

"That the Second Schedule, as amended, stand part of the Bill."

The motion was adopted.

The Second Schedule, as amended, was added to the Bill.

Third Schedule

Mr. Deputy-Speaker: There are some amendments to Third Schedule.

Shri Hem Raj: Sir, I beg to move:

(i) Page 56,—

omit lines 6 to 32 (58)

(ii) Page 57,—

for lines 1 to 23, *substitute*—

"Una tahsil" (59)

(iii) Page 57,—

for lines 25 to 30, *substitute*—

"5. Dhar Kalan Block of Pathankot tahsil of Gurdaspur district." (60)

(iv) Page 57,—

after line 30, *insert*—

"PART IV

Name of the Patwar circle	Patwar circle No.
Kalka ..	83"(61)

(v) Page 57, lines 3 to 6,—

for "which has been declared to be a notified area for the purposes of the Punjab Municipal Act, 1911, by the notification of the Government of Punjab No. 2225-C1(3C1)-61-9484, dated the 21st March, 1961".

substitute—

"Revenue Estate No. 532 *vide* Order No. 5992-R-IV-65/4076 of 1965-66." (100).

(vi) Page 56,—

after line 34, *insert*—

"Basdehra	— 228
Jakhera	— 229
Mehatpur	— 230
Bhatoli	— 231
Sampur	— 232
Kherabagh	— 233
Bhabhaur	— 234
Rampur Serai	— 235
Kalsera	— 236
Ajoli	— 237
Malookpur	— 242
Binewal	— 243
Poohua	— 244" (116)

Shri Daljit Singh: Sir, I beg to move.

(i) Page 57,—

omit lines 10 to 20.

(ii) Page 57,—

omit lines 22 and 23.

तीसरे शैड्यूल में ये जो गांव हैं उनकी तमाम जमीन फर्टिलाइजर फैक्ट्री ने एक्वायर कर ली थी । एक्वायर हो जाने के बाद कुछ जमीन तो इस्तेमाल में आई और कुछ पड़ी रही । हमने

[Shri Daljit Singh]

फैक्ट्री वालों से कहा कि अब तो ग्रो मोर फूड कैम्पेन चल रहा है इस वास्ते जो गैर-आबाद जमीन पड़ी हुई है उसे गांव वालों को वापिस दे दिया जाए और फैक्ट्री वालों ने उस में से कुछ जमीन उन गांव वालों को दे दी और वे काश्त करने लग गए । अब भी वे वहां काश्त करते हैं । अब उनकी जो आबादी है उसको हिमाचल में शामिल किया जा रहा है और उनकी जमीन जो है वह फर्टिलाइजर फैक्ट्री के पास रह जाएगी । अब जो हद बन्दी होगी उसके मुताबिक काश्त करने के लिए वे लोग पंजाब में आएंगे और रहने के लिए हिमाचल में जायेंगे । यह उनके साथ एक बेइंसाफी है । मैं चाहता हूं कि उस आबादी को भी पंजाब में शामिल कर लिया जाए ताकि उनके काम करने में आगे को कोई फ़र्क न आए । यदि फैक्ट्री वाले और जमीन देना चाहेंगे तो वे देंगे उसी सूरत में उस जमीन को जो कि अभी भी पड़ी हुई है जब कि वे पंजाब में आएंगे, तब उनकी जमीन कम्पैक्ट होगी । आनन्दपुर तहसील बनाने का धन्यवाद है ।

श्री बूटा सिंह : मैं श्री दलजीत सिंह जी की एमेंडमेंट का हार्दिक समर्थन करता हूं ।

श्री प्रताप सिंह (सिरमूर) : यह ऊना का सवाल है । ऊना हिन्दी भाषी एरिया है । इसलिए उस को हिमाचल में आना चाहिए, पंजाब के साथ उस का कोई ताल्लुक नहीं है । सारा ऊना हिमाचल को जाना चाहिये । वह पहाड़ी इलाका है, हिल्ली एरिया है । वहां जो फर्टिलाइजर फैक्ट्री है वह भी हिमाचल में आनी चाहिये । ऐसा होगा तभी हिमाचल तरक्की कर सकेगा ।

Shri Nanda: Sir, this division has been done strictly on the recommendation of the Boundary Commission. We cannot accept any of these amendments.

Mr. Deputy-Speaker: Is Shri Hem Raj pressing his amendments?

Shri Hem Raj: Yes.

Mr. Deputy-Speaker: I shall put amendments Nos. 58, 59, 60, 61, 100 and 116 to the vote of the House.

Amendments Nos. 58 to 61, 100 and 116 were put and negatived.

Mr. Deputy-Speaker: Does Shri Daljit Singh want to press his amendments to a vote?

Shri Daljit Singh: I do not want to press them but my request should be looked into as many other amendments have been accepted by Government for P.S.C. and Anandpur Sahib as tehsil.

Mr. Deputy-Speaker: Has he the leave of the House to withdraw his amendments (Nos. 42 and 43)?

Amendments Nos. 42 and 43 were, by leave, withdrawn.

Mr. Deputy-Speaker: The question is:

"That the Third Schedule stand part of the Bill."

The motion was adopted.

The Third Schedule was added to the Bill.

Fourth Schedule

Shri Nanda: Sir, I beg to move:

Page 58,—

for lines 3 to 8, *substitute*—

"1. Of the three sitting members whose term of office will expire on the 2nd April, 1968, Shri Surjit Singh and such one of the two members, namely, Shri Abdul Ghani and Shri Chaman Lal, as the Chairman of the Council of State may determine by drawing

lot, shall be deemed to have been elected to fill two of the seats allotted to the State of Punjab and the remaining member shall be deemed to have been allotted to fill one of the seats allotted to the State of Haryana.". (126).

Shri Jagdev Singh Siddhanti: Sir, I beg to move:—

Page 58,—

for lines 3 to 8, *substitute*—

"1. Of the three sitting members whose term of office will expire on the 2nd April, 1968, Shri Surjit Singh shall be deemed to have been elected to fill one of the seats allotted to the State of Punjab, and of the two members Shri Abdul Ghani and Shri Chaman Lal, such one as the Chairman of the Council of States may determine by draw of lots, shall be deemed to have been elected to fill one of the seats allotted to the State of Punjab, and the other member shall be deemed to have been elected to fill one of the seats allotted to the State of Haryana." (44).

चौथे शड्यूल के बारे में मैं यह कहना चाहता हूं कि राज्य सभा की जो सीटें बननी हैं, वे पांच हरयाणा और सात पंजाबी सूबे की बननी है । पंजाबी सूबे की पहले से ही सात हैं और हरयाणा की तीन हैं । इसलिए जो दो नई सीटें हैं वे दोनों हरयाणा को दी जाएं । मैं इसके बारे में कल भी निवेदन कर चुका हूं । इनका बटवारा इस तरह से किया जा सकता है । हरयाणा में 1968 में दो सीटें खत्म होने वाली हैं और 1970 में कोई नहीं और 1972 में एक खत्म होने वाली है । पंजाबी, सूबे में 1968 में खत्म होने वाली एक सीट है, 1970 में चार और 1972 में दो हैं । इस तरह से ये सात हो जाती हैं । हरयाणा की जो दो सीटें हैं उन में से एक सीट पंजाबी सूबा ले ले इससे पंजाबी सूबे की 1968 में दो हो जायेंगी । 1970 में हरयाणा की कोई नहीं है और पंजाबी सूबे में चार होंगी । चार में से एक हरयाणा को आ जाए और एक नई दे दी जाए । इस तरह से दो हरयाणा की हो जाएंगी और तीन पंजाबी सूबे की रह जायेंगी । 1972 में एक हरयाणा की है और एक नई दे दी जाए ।

श्री राम सहाय पाण्डेय (गुना) : सिद्धान्ती जी की एमेंडमेंट का मैं समर्थन करता हूं ।

Shri Hari Vishnu Kamath: Sir, I would like to ask certain questions for clarification with regard to this curious Schedule called the Fourth Schedule.

Paragraph 1 refers to those members of the Rajya Sabha whose tenure expires on 2nd April, 1968, paragraph 2 to those members whose tenure expires in 1970 and paragraph 3 to those whose tenure expires in April, 1972. A differential procedure, not uniform procedure, has been proposed or suggested fo allotting these members to Haryana and Punjab.

In the first place, I would like to know whether under the Constitution, according to the spirit and the letter of the Constitution, it is proper, correct, desirable that members who have once been elected to represent the Punjab can by a fiat or a *firman* of the Government be forced to represent another State. Here the position is that. Would it not be more desirable and proper to ask them to opt for a particular State? Option was done in 1947, I remember, with regard to very high officers of the Government for opting for India or Pakistan. It is not as bad as that; it is not on a par with that. An option given to members will be more satisfactory, and more in accordance with the spirit and the letter of the Constitution, than a firman issued by the Government saying, "You should represent Haryana; you should represent Punjab".

[Shri Hari Vishnu Kamath]

Secondly, for members mentioned in paragraph 2, a lottery also comes into the picture. For members mentioned in paragraphs 1 and 3 there is no lottery. Have you seen this paragraph It is curiously worded. There is a lottery. The Chairman shall decide by lot. There the Government does not interpose itself; it does not ask the members, "You represent this; you represent that", but the Chairman will decide by lottery who will represent which particular State. Then why should the Government adopt a different procedure for these other Members?

The second point is that under the Constitution, and the election law which governs election to Parliament and Assemblies, a candidate to the Rajya Sabha must be an elector registered in that particular State unlike a candidate for the Lok Sabha. A candidate for the Lok Sabha can be enrolled anywhere in India and he can stand for Lok Sabha seat from anywhere in India including, I hope now, Jammu and Kashmir. The Joint Committee is considering that matter. I hope that will be extended to Jammu and Kashmir and that particular provision of the election law will apply to Jammu and Kashmir also. But with regard to Rajya Sabha, the Council of States, an elector who is registered in a particular State alone can represent that State in Rajya Sabha. Therefore, I want to know whether it has been checked—I do not know because I have not seen the electoral rolls of those States of Haryana and Punjabi Suba—that each of the Members who are mentioned by name here, Shri Chaman Lal, Shri Abdul Ghani and others, is enrolled as an elector in the particular State to which he is being allotted. All this the Government will have to check up from the electoral rolls. Otherwise, it is wholly unconstitutional.

Shri U. M. Trivedi: So many things are unconstitutional in this Bill.

Shri Hari Vishnu Kamath: One point is about this lottery for list No. 2. Others are elected by a *firman* of the Government. Why not an option be given to the Members? Lastly, I want to know whether all this was checked up to see that they are enrolled in the electoral rolls of that particular State to which they are allotted.

श्री रघुनाथ सिंह : श्री कामत ने कौंसिल के बारे में कहा है । कल मैं ने, श्री पाटिल, श्री भावगत ना आजाद और श्री त्यागी ने भी इस प्रश्न को उठाया था । इस बारे में ला यह है :

"A person shall not be qualified to be chosen to fill a seat in the Legislative Council of a State to be filled by election unless he is an elector for any Assembly constituency in that State."

यह जरूर है कि राज्य सभा और कौंसिल के लिए आदमी को कांस्टीट्यूएन्सी का वोटर होना चाहिए, क्योंकि एसेम्बली राज्य सभा के लिए आदमी चुन कर भेजती है और इस लिए यह जरूरी है कि वह आदमी उसी स्टेट में वोटर हो और इसी प्रकार कौंसिल के लिए यह आवश्यक है कि वह उसी स्टेट का वोटर हो । लेकिन वर्ड है "चोजन" । यहां पर इलेक्शन करने का सवाल नहीं है । बम्बई, आन्ध्र और गुजरात में पार्टीशन के वक्त इसी तरीके को एडाप्ट किया गया था और सदस्यों का डिवीजन इसी प्रकार किया गया था । यहां पर जो प्राविजन है, उस में कहा गया है "डीम्ड टु बि" । यहां पर "इलेक्टिड" या "चोजन" नहीं कहा गया है । यह बिल्कुल दूसरी बात है । अगर इलेक्शन होता या "चोजन" होता, तो श्री कामत की बात ठीक होती । लेकिन यहां पर "डीम्ड टु बि" कहा गया है, अर्थात् उस

आदमी को इस तरह से समझा जायेगा, क्योंकि यह इन्टेरिम पीरियड के लिए है, यह इलैक्शन नहीं है । जहां इलैक्शन होगा, वहां वोटर होना आवश्यक है । लेकिन यहां पर स्टेट का पार्टीशन हो रहा है और जो प्रिंसिपल आन्ध्र और महाराष्ट्र में एप्लाई किया गया था, वही यहां भी एप्लाई किया जायेगा । इस लिए इलैक्शन के बारे में श्री कामत की दलील ठीक है, लेकिन वहां यहां एप्लाई नहीं होती है ।

Mr. Deputy-Speaker: The Home Minister.

Shri U. M. Trivedi (Mandsaur): Your attention is drawn to the provisions of article 80 of the Constitution..

Mr. Deputy-Speaker: I have called the Minister. There is no time. I will have to guillotine all the remaining Schedules at 6 O'clock.

Shri U. M. Trivedi: When I want to speak in the whole of the debate, you say that you will guillotine it. I have kept quiet for all the eight hours that this debate has gone on.

Shri Hari Vishnu Kamath: You cannot hustle it through.

Shri U. M. Trivedi: The whole question is this. The provision for the Council of States is laid down in Article 80, which says:

"The Council of States shall consist of—

(a) twelve members to be nominated by the President in accordance with the provisions of clause (3); and

(b) not more than two hundred and thirty-eight representatives of the States (and of the Union territories).

"(2) The allocation of seats in the Council of States to be filled by representatives of the States (and of the Union territories) shall be in accordance with the provisions in that behalf contained in the Fourth Schedule.

"(3) The members to be nominated by the President under sub-clause (a) of Clause (1) shall consist of persons having special knowledge....

"(4) The representatives of each State in the Council of States shall be elected...."

shall be elected.

"... by the elected members of the Legislative Assembly of the State in accordance with the system of proportional representation by means of the single transferable vote."

Mr. Deputy-Speaker: Mr. Kamath made out the same point.

Shri U. M. Trivedi: Is he amending the provision of the Constitution? Let the Home Minister say that he is amending the Constitution.

Shri Nanda: Not necessary.

Shri U. M. Trivedi: If he is not amending the Constitution, then I would say that what he is doing is illegal.

I will read Art. 80 further:

"The representatives of the (Union territories) in the Council of States shall be chosen in such manner as Parliament may by law prescribe."

The word 'chosen' is used only with reference to Union territories and not to States. For States, you have got the term 'elected'. How can you circumvent this provision of law? Therefore, I say that this provision of 'chosen' or being nominated by name is an absurdity to the extreme.

Shri D. C. Sharma: These persons are members of the Rajya Sabha and

[Shri D. C. Sharma]

I do not see any reason why they should be deprived of their full term of membership because we are going to reorganize the State. This will be neither equitable in natural justice nor justifiable from any other point of view.

Secondly, it is said that a thing like that happened when Bombay was divided into Maharashtra and Gujarat and when Madras and Andhra were divided. There is a precedent, but nobody has taken note of it....(*Interruptions*).

The hon. Minister also referred to one Article in the Constitution by which, when you are going to reorganize States, supplemental, incidental and consequential provisions will be made. (*Interruptions*).

Mr. Deputy-Speaker: Order ,order. The hon Minister.

Shri Nanda: The hon. members, Mr. Trivedi, and Mr. Kamath, did not not probably have the benefit of the night vigil. Therefore, they possibly did not follow. The question on the same ground was raised yesterday and answer was given. The other question was: why do we not give the option. He has very bright ideas, sometimes we anticipate his idea and provide for it. The two members who are concerned here wanted to opt for the same State, Haryana. I could not choose between them—one to Haryana and one to Punjab—because both of them wanted to go to Haryana. Therefore, drawing of the lot was necessary.

Shri Hari Vishnu Kamath: What about my point about electoral rolls?

Shri Nanda: That was explained yesterday.

Mr. Deputy-Speaker: I know put Amendment No. 44 to vote.

Amendment No. 44 was put and negatived.

Mr. Deputy-Speaker: There is a Government amendment. Amendment No. 126.

The question is:

Page 58,—

for lines 3 to 8, *substitute*—

"1. Of the three sitting members whose term of office will expire on the 2nd April, 1968, Shri Surjit Singh and such one of the two members, namely, Shri Abdul Ghani and Shri Cham Lal, as the Chairman of the Council of States may determine by drawing lot, shall be deemed to have been electetd to fill two of the seats allotted to the State of Punjab and the remaining member shall be deemed to have been allotted to fill one of the seats allotted to the State of Haryana." (126).

The motion was adopted.

Mr. Deputy-Speaker: The question is:

"That the Fourth Schedule, as amended stand part of the Bill".

The motion was adopted.

The Fourth Schedule, as amended, was added to the Bill.

Fifth Schedule

The Deputy Minister in the Ministry of Home Affairs (Shri P. S. Naskar): We have a consequential amendment to this Schedule.

Amendment made:

At page 59, in line 13, *for* 'Nangal' *substitute* 'Anandpur Sahib'

(*Shri P. S. Naskar*)

Mr. Deputy-Speaker: The question is:

"That the Fifth Schedule, as amended; stand part of the Bill'.

The motion was adopted.

The Fifth Schedule, as amended, was added to the Bill.

The Sixth Schedule was added to the Bill.

Seventh Schedule

Shri Jagdev Singh Siddhanti: I beg to move:

Page 63, *after* line 4, *insert*—

"9. Shri Sher Singh.

10. Shri Dharam Singh.

11. Shri Nasib Singh.

12. Shri Sultan Singh". (81).

(ii) Page 63, *omit* lines 6 to 9. (82).

(iii) Page 63 *after* line 13, *insert*—

"Part C.

1. Shri Durga Dass Khanna
2. Shri Puran Singh Azad.
3. Shrimati Illa Rani Ahuza.
4. Shri S. F. Dean.
5. Shrimati Gyan Kaur.
6. Shrimati Prithpal Kaur Wasu.
7. Shri Kanwarlal Sharma.
8. Shrimati Prabhjot Kaur". (83)

Shri Nanda: I beg to move:

(i) Page 62, (i) in line 27, *for* "sections 16 and 22" *substitute* "section 22"

(ii) in line 30, *omit* "PART A" (127).

(ii) Page 63, (i) in line 5, *omit* "PART B";

(ii) in lines 6 to 13, *renumber* entries 1 to 8 as entries 9 to 16 respectively. (131).

Shri P. S. Naskar: We are not moving amendment No. 128, but we are moving only amendments Nos 127 and 131.

Mr. Deputy-Speaker: These amendments are now before the House.

श्री जगदेव सिंह सिद्धान्ती : माननीय उपाध्यक्ष महोदय, हरयाणा में तो क्यों कि अब प्रश्न नहीं उठता, वहां तो विधान परिषद् रहेगी नहीं, उन के तो मेम्बरों को अवकाश दे दिया गया लेकिन जो पंजाबी सूबे में बन रही है, मैं नन्दा जी से यह प्रार्थना करता हूं कि जिन विधान परिषद् के सदस्यों के निवास-स्थान चंडीगढ़ में हैं और उन को पंजाबी सूबे की विधान परिषद् के अन्दर आप ने स्वीकृति दे दी, तो इसी तरह से चौधरी सुल्तान सिंह की एक याचिका है जो कि सराय नागा, तहसील मुक्तसर, जिला फिरोजपुर के हैं, सीरियल नं० 377 पार्ट नम्बर 35 वोटर्स लिस्ट पर उन का नाम है । तो मैं मांग करता हूं कि इन को भी पंजाब की विधान परिषद् में जाने का अधिकार दिया जाय । मैं यह याचिका सदन की मेज पर रखता हूं ।

Shri Nanda: We have looked into this matter. I cannot accept the amendments of the hon. Member.

Mr. Deputy-Speaker: I shall now put amendments Nos. 81, 82 and 83 to the vote of the House.

Amendments Nos 81, 82 *and* 83 *were put and negatived.*

Mr. Deputy-Speaker: The question is:

(i) Page 62, (i) in line 27, *for* "sections 16 and 22" *substitute* "section 22"

(ii) in line 30, omit "PART" (127).

(ii) Page 63, (i) in line 5, *omit* "PART B";

(ii) in lines 6 to 13, *renumber* entires 1 to 8 as entries 9 to 16 respectively (31).

The motion was adopted.

Mr. Deputy-Speaker: The question is:

"That the Seventh Schedule, as amended, stand part of the Bill".

The motion was adopted.

The Seventh Schedule, as amended, was added to the Bill.

The Eighth Schedule was added to the Bill.

The Ninth, Tenth and Eleventh Schedules were added to the Bill.

The Twelth Schedule was added to to the Bill.

Thirteenth Schedule

Amendment made—

Page 70, line 7,—

for "60761"

substitute "6071" (88).
(*Shri Nanda*)

Mr. Deputy-Speaker: The question is:

"That the Thirteenth Schedule, as amended, stand part of the Bill."

The motion was adopted.

The Thirteenth Schedule, as amended, was aded to the Bill.

The Fourteenth and Fifteenth Schedules were added to the Bill.

Sixteenth Schedule

Shri Harj Vishnu Kamath: I would like to have a little light from the Home Minister before we wind up.

You will be pleased to see that this schedule, the last one, has got some 42 institutions mentioned therein, and the section corresponding to that is section 77. Section 77 is somewhat obscure to me, and I would request the Home Minister to throw light on it so that it can be interpreted correctly and properly.

"The Government of the State of Haryana or Punjab, or, as the case may be, the Central Government....

—"as the case may be" comes in between—

"....in relation to the transferred territory or the Union territory of Chandigarh, shall in respect of the institutions specified in the Sixteenth Schedule..

—now comes the obscure part—

"....located in the State or territory aforesaid continue to provide facilities to any other Government aforesaid and the people of the States and territories aforesaid which shall not, in any respect, be less...."

Take the instance of Chandigarh. I am anxious that institutions mentioned here should flourish and prosper and must do well in the coming years. I would, therefore, like to know whether in the case of the institutions which are located in Chandigarh—there are quite a number of them, more than a dozen—which is a Union territory now, the Union Government will come into the picture and will be responsible for these institutions because they are all located in the Union Territory. How is this section to be interpreted? Because it says:

"....institutions specified in the Sixteenth Schedule located in the State or territory aforesaid continue to provide facilities to any other Government.."

One Government shall continue to provide facilities to any other Government—how will that be interpreted so far as Chandigarh is concerned? Haryana is mentioned, Punjab is mentioned, and then "or, as the case may be, the Central Government"—all these are mentioned. Then the Government concerned in this territory, according to the Bill, gives facilities to any other Government mentioned therein. That means to say, even in

Chandigarh there will be two governments or only one Government responsible, because it is said here in this section that the other Government will get facilities from the Union Government, if my interpretation is correct. Therefore, I would like to know what it exactly means, this rigmarole.

Shri Nanda: That means that in respect of any institution which may be located either in Haryana or Punjab or the Union territory, the facilities which were available before to the others, those who may not be there in that area, will continue to be available, and therefore that is all that is meant.

Shri Hari Vishnu Kamath: A bit involved, a bit of a rigmarole.

Mr. Deputy-Speaker: The question is:

"That the Sixteenth Schedule stand part of the Bill."

The motion was adopted.

The Sixteenth Schedule was added to the Bill.

18 hrs.

Mr. Deputy-Speaker: The question is:

"That clause 1, the Enacting Formula and the Title stand part of the Bill."

The motion was adopted.

Clause 1, the Enacting Formula and the Title were added to the Bill.

Shri Nanda: Sir, I have to move an amendment because last night what happened was that one amendment had been accepted and having been accepted, then, somehow another amendment which has a totally contrary effect to that amendment had also been adopted. An anomaly has been created which is sought to be removed. So, I move:

"That Amendment. No. 53 to the Punjab Reorganisation Bill, adopted by the House on the 6th September, 1966, be rescinded."

It is totally contrary to another amendment which has been accepted by the House. That was oversight.

Shri U. M. Trivedi: What type of amendment is it? There must be another Bill if you want to amend it. How can this be done?

Mr. Deputy-Speaker: It can be amended.

Shri Nanda: Sir, I move:

"That Rule 38 in its application to Amendment No. 53 to the Punjab Reorganisation Bill, adopted by the House on the 6th September, 1966, be suspended."

Mr. Deputy-Speaker: The question is:

"That Rule 338 in its application to Amendment No. 53 to the Punjab Reorganisation Bill, adopted by the House on the 6th September, 1966, be suspended."

Shri Hari Vishnu Kamath: No, no. What is the motion before the House?

Mr. Deputy-Speaker: I have read the motion. It is that rule 338 in its application to this amendment, No. 53, has to be suspended.

Shri Hari Vishnu Kamath: We must have reasons for the suspension of the rule. What is the rule you refer to?

Mr. Deputy-Speaker: I will read the rule.

"A motion shall not raise a question substantially identical with one on which the House has given a decision in the same session."

This rule has to be suspended if we have to accept the amendment. That is why the hon. Minister is moving his amendment.

Shri Hari Vishnu Kamath: The amendment is not with us.

Mr. Deputy-Speaker: He has read that amendment.

One amendment has been accepted which is contrary to another amendment accepted by this House.

Shri Nanda: I have moved: the motion, Sir,:

> "That Amendment No. 53 to the Punjab Reorganisation Bill,, adopted by the House on the 6th September, 1966, be rescinded."

Shri Hari Vishnu Kamath: Suspension of the rule 338 is I believe under rule 388. Rule 338 does not strictly apply in this case.

Mr. Deputy-Speaker: Not 388.

Shri Hari Vishnu Kamath: Please try to follow me. Suspension of a rule can be done under rule 388; all suspensions take place under that rule—suspension of rules, not Members.

Shri Kapur Singh: Members can be suspended without rules.

Shri Hari Vishnu Kamath: Shri Kapur Singh knows it to his cost, to his pleasure. Now, Sir, rule 388 is:

> "Any Member may, with the consent of the Speaker...." You have very generously given your sent, Sir; that is all right.
>
> ".....move that any rule may be suspended in its application to a particular motion before the House and if the motion is carried the rule in question shall be suspended for the time being."

Now, the motion now made is without notice. A motion has been moved without notice. So far as that rule is concerned, it has been infringed. If that is also suspended, then we will have to find out the rule under which you allowed the motion without notice. Please quote that rule also. Under the rules of procedure, no motion can be allowed to be moved without notice. (*Interruption*)

Mr. Deputy-Speaker: It is a very simple matter.

Shri Hari Vishnu Kamath: Take rule 338. It bars the raising of any question which has been decided in the same session. It reads as follows:

> "A motion shall not raise a question substantially identical with one on which the House has given a decision in the same session."

I do not know which is the motion on which the House has already given a decision in the same session. Now, you are suspending that rule. I do not know whether the House has agreed to do it. The House in its wisdom may agree to suspend the rule, but then, I hope your wisdom will prevail to the contrary, because rule 388 must come into play first, and then, the next stage will come into operation, that is, the motion made by the Minister. The motion has been made without notice. You know, Sir, every motion has got to be moved after giving notice. So, unless that rule is suspended, the motion cannot be moved. If there is a rule, a blanket rule or a resolution, that all the relevant rules will be suspended, this may be all right But, if you do not want to be arbitrary like that—you should not be as arbitrary as all that—I submit that, with all humility and earnestness you must specify the rules which have got to be suspended now. Rule 338 is one The other rule is that which obliges the Finance Minister and every Member to give adequate notice, for amendments at least one day's notice If that rule also is suspended, please state that. Otherwise, the House cannot discuss this motion.

Mr. Deputy-Speaker: Rule 388 does not require any notice. I am allowing the suspension of the rule. I may

quote rule 389 in this connection: it reads as follows:

"All matters not specifically provided for in these rules and all questions relating to the detailed working of these rules shall be regulated in such manner as the Speaker may, from time to time, direct."

This is a very simple amendment.

Shri Hari Vishnu Kamath: The Speaker has held everytime that any specific provision cannot be overuled by a general provision.

Mr. Deputy-Speaker: I allow this amendment. The question is:

"That Rule 338 in its application to Amendment No. 53 to the Punjab Reorganisation Bill, adopted by the House on the 6th September, 1966, be suspended."

The motion was adopted.

Mr. Deputy-Speaker: Now the Minister may move his amendment.

Shri Nanda: I have done it already.

Mr. Deputy-Speaker: The question is:

"That Amendment No. 53 to the Punjab Reorganisation Bill, adopted by the House on the 6th September, 1966, be rescinded."

The motion was adopted.

Shri Nanda: I beg to move:

"That the Bill, as amended, be passed."

Mr. Deputy-Speaker: Motion moved:

"That the Bill, as amended, be passed."

Shri Kapur Singh: Sir, acting to the voice of our conscience and remembering our election pledges and our loyalty to our constituents, we dissociate ourselves with the final passage of this Bill, and in token thereof, we beg leave to walk out.

Shri Kapur Singh and some other hon. Members then left the House.

18.10 hrs.

Shri U. M. Trivedi: Sir, I make this speech during the third reading with a desire to focus the attention of this House and the country on the fact that we have gone very far and we may now cry a halt to this further balkanisation of our country.

Dr. M. S. Aney: I object to the word 'balkanisation'; it is no balkanisation at all.

Shri U. M. Trivedi: This is a vicious piece of legislation, full of material and procedural irregularities. It is a Bill which has been hustled through and not in a magnanimous manner. Even the hustlig could have been done with grace. But unfortunately the Government had seen it write large that probably the sentiments which existed four or five months back had cooled down and probably the Punjabis do not want to separate from each other. Hustling of this type will not pay. A great injustice has been done to a great State and a courageous people just to satisfy the fanciful whims of a few persons.

When Chandigarh was inaugurated by the great late lamented Babu Rajendra Prasad, the then President of India, I remember I wrote a letter to him, "Why are you opening Chandigarh on this ominous and inauspicious day of *Sarva Pitr Amvasya?*" It was opened on that inauspicious day and that has brought this misfortune on this country. We do not know where and how it will end. You wanted a spirit of bhavadao of secularism. Probably this secularism will not help. It is on the face of it writ large that you have yielded to communal tensions and communal desires. You have proclaimed from hosetops that you are not communal. When we founded this country of ours, we proclaimed to the world

[Shri U. M. Trivedi]

at large that we are secular and we shall have no communalism. Yet, we have fallen flat when communal forces attacked us. The result has been this misfortune.

This division has been hurried. I cannot understand why. A parliamentary committee was appointed to begin with. Before that committee could come to a decision, a decision was made at the Congress Working Committee level and it was said that we accept the division. All the efforts of the parliamentary committee were put on the shelf. A boundary commission was then appointed with a Supreme Court judge as Chairman. You pocketed that report and you had your own way in formulating how the division should take place. The Bill was brought just on the eve of the closing day. Ordinarily the session would have been over on the 2nd. But the House continued to sit and sit upto 11 P.M. in the night yesterday and today also it is sitting late. Why? Did you give any importance to this Bill? No. You wanted somehow or other to satisfy your desire—since we have got the barber, apply the soap to our face, let him shave us! You wanted that shaving to be carried out.

It was pointed out to you, to the House and to the Treasury Benches that, somehow or other, this Bill, by implication and by the very provisions, is in conflict with the constitution and by the back door constitutional amendments are taking place which could not therefore be passed except according to the provisions of the Constitution, that a particular majority of Members should be present in the House. Yet it was not heeded. You have created a law which will be challenged, and challenged very often, and create trouble for others. I see that the hon. Minister for Parliamentary Affairs, Shri Jaganatha Rao, is nodding his head as if he says: "I do not care". But I say he will have to care, re cannot shake his head like that (*Interruptions*). Let him not show his spirit of bravado here. It is not possible.

All the rules of procedure have been set at naught over and over again. Rule 352 provided that you shall not discuss,—and still you refused to look into it,—because a case was pending before the Supreme Court. You refused to pay any heed to it and proceeded to go ahead because you knew that the roller is there and it will crush everything. The constitutional provision of article 170 was there facing you, yet you neglected it. You have no right to nominate, yet you nominated. You have no right to bring about a legislature with only 54 members, yet you agreed to have a legislature with 54 members and 8 nominated members. What type of legislation is this? The Constitution says that the State shall consist of not less than 60 legislators duly elected. Instead of having "duly elected", you say that they will be "duly nominated" (*Interruptions*).

Sir, we are now at a stage when you all think that it is very very late in the day to cry over spilt milk. It may be true but, still, sometimes good sense can prevail even at the last moment. We do not know whether that good sense will prevail. It may not prevail in this case. Shri Jaganatha Rao is still shaking his head, to say that it will not prevail. But it is my duty to point out to you that good sense must prevail.

How have you got over the provisions of article 80 when the word used there is "elected"! From "elected" you want to change it into "nominated". That means you want to change a provision in the Constitution with only this presence in the House. Can you change the Constitution like that? I say, Sir, this hustling, this hurrying, this un-thinking, this bad drafting, this illegality and this irregularity that have been done to this Bill will itself be a mark in the history of India and the history of this Parliament. Such a thing has never happened in this Parliament

before. Such road-rolling was never even conceived in the days when we were opposing the Hindu Code Bill. Why has this been done here for the sake of satisfying just a few persons—one wanted to die, immolate himself. Why are you so afraid? Why have you done this? I say, Sir, you will rule the day when you made up your mind to divide this country, this part of India into two parts and created troubles for all. Even today, let there be some good sense made to prevail so that you may say even at this last stage that you withdraw the Bill.

श्री जगदेव सिंह सिद्धांती : मुझे अत्यन्त खेद के साथ कहना पड़ता है कि एक विधिवेत्ता हेत्वाभास से भरे हुए व्याख्यान के द्वारा भावुकता का प्रकाश करते हैं जब कि वास्तविक जो स्थिति है उसके ऊपर दृष्टि नहीं डालते हैं । मैं निवेदन करता हूं कि ये जो क्षेत्र हैं ये दोनों ही चाहते थे कि इनके पृथक पृथक प्रान्त बनें । पंजाब वाले भी चाहते थे और हरियाणा वाले भी चाहते थे कि उनके अलग अलग प्रान्त बनें । 1857 से सतलुज नदी के नीचे का इलाका कभी पंजाब नहीं रहा है । इस कारण से मैं निश्चयपूर्वक कहता हूं कि ये दोनों जो आज राज्य बन रहे हैं, ये राष्ट्र की रक्षा के लिए जिस तरह से अब तक कार्य करते रहे हैं, उसी तरह से आगे भी करते रहेंगे । दोनों में वीरता है । मैं सरकार को बहुत बधाई देता हूं कि उसने साहस-पूर्वक उन लोगों की कोई परवाह नहीं की जिनका नाम केवल अड़चन डालना है, फिर चाहे वे कानून के द्वारा डालें या वैसे डालें । हमें भी इसकी कोई चिन्ता नहीं है और हम आपको विश्वास दिलाते हैं कि हरियाणा के वीर जिस तरह से आज तक अपना दायित्व निभाते आए हैं राष्ट्र रक्षा हेतु, उसी प्रकार से सदा जब भी राष्ट्र रक्षा का प्रसंग उपस्थित होगा, अपने प्राणों की आहुति देने को तत्पर रहेंगे । यह हमारा दृढ़ निश्चय है । जय हरयाणा ।

श्री रघुनाथ सिंह : मैं आशावादी हूं । विवेदी जी की तरह से निराशावादी नहीं हूं । आज एक बड़ा शुभ दिन है । आज हिमाचल, हरियाणा और पंजाब बनने जा रहे हैं । आज हमको ईश्वर से प्रार्थना करनी चाहिये कि ये तीनों सूबे अच्छी तरह से आनन्द से रहें और हमारी सीमा की रक्षा करते रहें । इसके साथ साथ विरोधी पक्ष को भी और सरकारी पक्ष दोनों को मैं धन्यवाद देता हूं कि बड़ी शान्ति से, बड़े सन्तोष के साथ हम इस बिल को पास करने जा रहे हैं । उपाध्यक्ष महोदय, मैं आपको भी धन्यवाद देता हूं कि आपने बड़ी सहनशीलता का परिचय दिया है ।

Shri Nanda: Sir, I have nothing more to add. This is an auspicious day today. This is the birthday of Lord Krishna. My answer to what was said by the hon. Member, Shri Trivedi, is that on this day let the House send its blessings and good wishes to the people of Punjab who have now been divided into Haryana, Punjab, part into Himachal Pradesh and the Union territory of Chandigarh.

Mr. Deputy-Speaker: The question is:

"That the Bill, as amended, be passed."

The motion was adopted.

18.23 hrs.

MESSAGE FROM RAJYA SABHA

Secretary: Sir, I have to report the following message received from the Secretary of Rajya Sabha:—

"I am directed to inform the Lok Sabha that the Rajya Sabha,

[Secretary]

at its sitting held on Wednesday, the 7th September, 1966, passed the enclosed motion concurring in the recommendation of the Lok Sabha that the Rajya Sabha do join in the Joint Committee of the Houses on the Bill further to amend the Representation of the People Act, 1950, and the Representation of the People Act, 1951. The names of the Members nominated by the Rajya Sabha to serve on the said Joint Committee are set out in the motion.

MOTION

"That this House concurs in the recommendation of the Lok Sabha that the Rajya Sabha do join in the Joint Committee of the Houses on the Bill further to amend the Representation of the People Act, 1950, and the Representation of the People Act, 1951, and resolves that the following members of the Rajya Sabha be nominated to serve on the said Joint Committee:—

1. Shri Chandra Shekhar
2. Shri R. S. Khandekar
3. Shri Chitta Basu
4. Shri S. S. Mariswamy
5. Shri Jagannath Prasad Pahadia
6. Shri R. T. Parthasarathy
7. Shri K. V. Raghunatha Reddy
8. Shri Biren Roy
9. Shri A. K. A. Abdul Samad
10. Shri Shraddhakar Supakar
11. Shrimati Tata R. Sathe
12. Shri G. S. Pathak."

18.24 hrs.

STATEMENT *RE* IDDIKI PROJECT

The Minister of State in the Ministry of Irrigation and Power (Dr. K. L. Rao): Mr. Deputy-Speaker, Sir, several hon. Members have tabled short notice questions and calling-attention notices regarding Iddiki Project in Kerala. I therefore make the following statement.

Iddiki Project is the largest hydro-project in Kerala and was sanctioned for Rs. 49.23 crores in January, 1963. In the first phase, the installed capacity consists of 3 units of 130 MV operating under a head of about 2200 ft. Later on, three more units of similar size will be added. The total expenditure up to March 1967 would be about Rs. 9 crores. The present schedule of construction is to commission the first unit in 1970-71 and the other units are to follow at four to six months' interval. Canadians have offered loan assistance of $ 20 million, and grant of $ 7.8 million. The Canadian Consulting Engineers are working in their offices in Canada on the designs and specification of the project along with Indian engineers. Formal agreement with the Canadian authority is expected to be signed shortly.

Excavation of foundations in the component dams at Iddiki, Cheruthani and Kulamavu are in progress. Access tunnel to the Power House is nearing completion. Power tunnel and subsidiary works are in progress.

Shri Vasudevan Nair: Sir, I want to ask a question.

Mr. Deputy-Speaker: The calling-attention notice was disallowed and they wanted some statement.

Shri Vasudevan Nair: That statement is no good.

18.25 hrs.

[SHRIMATI RENU CHAKRAVARTTY *in the Chair*]

RE FOOD SITUATION IN THE COUNTRY

श्री हुकम चन्द कछवाय (देवास) : 26 जुलाई को एक प्रश्न के उत्तर में मंत्री

महोदय ने कहा था कि वह ऐसा प्रयत्न करेंगे कि मध्य प्रदेश को खराब ज्वार न भेजी जाए । उस वक्त लाल ज्वार, कंचरा मिली हुई ज्वार वहां भेजी गई थी । मैं जानना चाहता हूं कि मंत्री महोदय ने यह जो आश्वासन दिया था इसकी कहां तक पूर्ति हुई है ?

क्या यह भी सच नहीं है कि यह ज्वार उन लोगों को दी जाती है जिन लोगों से जबरन लेवी वसूल की गई थी, जिन के पास लेवी में देने के लिए अनाज नहीं था और उन से लेवी जबरन वसूल की गई है ? क्या यह भी सच नहीं है कि जो अनाज पैदा करते हैं, अच्छा गेहूं पैदा करते हैं उन लोगों को यह सड़ी हुई और लाल ज्वार खाने को दी जाती है ? यदि हां, तो इस सम्बन्ध में आपने क्या आदेश जारी किया है और अपने आश्वासन का आपने कहां तक पालन किया है ?

The Minister of Food, Agriculture, Community Development and Co-operation (Shri C. Subramanjam): As far as *jawar* and *bajra* are concerned, the Centeral Government does not procure any *jawar* or *bajra*. It is the State Governments who procure and make their distribution. I gave the assurance with regard to the imported milo and we have issued instructions that milo should be cleaned and then only issued. That is being followed.

श्री हुकम चन्द कछवाय : मैं ने पूछा है कि जो लोग अच्छा गेहूं पैदा करते हैं उन्हें खराब ज्वार खाने को दी जाती है, क्या यह सही नहीं है ? तब मंत्री महोदय ने कहा था कि हम ऐसी ज्वार नहीं भेजेंगे लेकिन उसके बावजूद भी खराब ज्वार भेजी गई है । मंत्री महोदय ने इसके बारे में कोई खुलासा नहीं किया है ।

Shri C. Subramaniam: I do not send any *jowar* anywhere because we do not have any stocks of *jowar*. We distribute only milo, rice and wheat.

Shri Bade (Khargone): Sir, this morning I showed it to the Minister and to the House the milo which is being distributed to *Adivasis* in east and west Nemad district of Indore Commissionery of Madhya Pradesh. That milo is rotten. It is sent in open wagons. The people are suffering on account of that. The Collector has declared that the whole district is suffering and that there is an epidemic of gastro-enteritis or what you call *Aantrashodh*. Will the Minister look into the matter and substitute that red milo with new milo? The State Government has given the reply that they are not having the supply from the Centre and, therefore, they are distributing this red milo to them. This epidemic of gastro-enteritis is due to this red milo.

Shri C. Subramaniam: I do not at present, have any information on this matter. Certainly, I will enquire into and I will see that what is not fit for human consumption is not distributed.

Mr. Chairman: All that he wants is that the Minister should look into it.

Shri C. Subramaniam: Yes.

श्री हुकम चन्द कछवाय : यह आश्वासन पहले भी दिया गया था कि जांच करवायेंगे । इसको एक महीना हो गया है । खराब माइलो ला कर दिया गया है ।

सभापति महोदय : आपने पूछा था ज्वार के बारे में । उन्होंने बताया है कि ज्वार वह नहीं देते हैं । माइलो देते हैं ।

श्री हुकम चन्द कछवाय : लाल ज्वार का मतलब माइलो होता है । अंग्रेजी हम नहीं समझते हैं और हिन्दी वह नहीं समझते हैं । अमरीकी ज्वार के बारे में सवाल पूछा था ।

Shri S. M. Banerjee (Kanpur): From the statement, it appears that he has given a rosy picture of the food situation in the country. I want to know from the hon. Minister as to whether adequate steps have been taken by the Government to see that the prices of all essential commodities, whether it is wheat or rice or coarse grain, do not increase in those places where statutory rationing is not done.

Shri C. Subramaniam: I thought I explained it. We are trying to have a distribution system not only in the statutory-rationed areas but in other areas by having fair price shops so that the prices may not shoot up. We will take care of it. Fortunately, for the last one week, we are having good rains throughout the country which is likely to improve the production prospects. That itself will stabilise the prices more than anything else.

18.30 hrs.

MOTION *RE*: SITUATION ON INDIA-PAKISTAN BORDERS —*Contd.*

Mr. Chairman: We shall now take up further consideration of the following motion moved by Shri Jagdev Singh Siddhanti on the 26th August, 1966, namely:—

> "That this House takes note of the statement made by the Minister of Defence on the 1st August, 1st August, 1966, regarding situation on India-Pakistan borders."

We have already taken two hours and five minutes. The balance is only one hour and fifty-five minutes. I want to put a proposal for your consideration and that is that we can finish this discussion in a little shorter time, i.e., after one or two speeches by the hon. members, and then the hon. Minister can reply and thereafter there can be the final reply by the mover of the motion. Or would you like this item to be moved over to the next session?

Shri R. S. Pandey (Guna): The House has already taken two hours. I think the hon. Minister can now reply and then the House can adjourn.

Shri Harish Chandra Mathur (Jalore): In the ordinary course, as a matter of fact, at 5 O'clock we should have taken up the half-an-hour discussions. We had postponed the half-an-hour discussion because we wanted to push through this Bill. Of course, it is for the House to decide whether they want to sit longer. I think we should not impose ourselves on the House by having the half-an-hour discussion. I have no intention, whatsoever, to impose myself on the House for half-an-hour discussion. The first thing to be decided is whether the House wants to sit further or not. If they do not want to sit, the House should be adjourned. If the House is prepared to sit, it is only the half-an-hour discussion that should be taken up.

Mr. Chairman: I will hear the hon. Minister.

The Minister of Defence (Shri Y. B. Chavan): I shall make one suggestion. Even after the discussion on the two statements that I made, I also made a third statement. So, the immediate aspects of the defence problem were answered in the third statement. Regarding the other points that have been raised by the hon. members, I am sure the House would like them to be discussed in a great detail. If that has to be done, then I would prefer that the discussion be postponed, so that I can also deal with those aspects in a little more detail and the House is also really in a proper mood to discuss them. I do not think that today is the proper time and the House is in a proper mood to discuss them. As I said, the immediate aspects of the defence problem have already been answered.

श्री जगदेव सिंह सिद्धान्ती (झज्जर): माननीय रक्षा मंत्री जी ने जो सुझाव दिया है, मैं उस को स्वीकार करता हूं । कल जन्माष्टमी है, जो कि हमारा विजय का उत्सव है । मैं आशा करता हूं कि हमारे रक्षा मंत्री महोदय अगले वर्ष हमें हमारी सेनाओं की विजय का समाचार देंगे ।

Mr. Chairman: Do I take it that the opinion of this House is that this motion be not taken up now.

Several hon. Members: Yes.

Mr. Chairman: Regarding the other two items of legislative business, I take it that the opinion of the House is that we postpone discussion on them.

Shri Umanath (Pudokkottai): Which items of legislative business?

Mr. Chairman: One is the Beedi and Cigar Workers (Conditions of Employment) Bill.

Shri Umanath: The Beedi and Cigar Workers Bill must be taken up. Ever since the Second Parliament, this has been going on. There was a danger of its being dropped off during this session also and, therefore, on three Fridays I had been insisting that it should be taken up during this session and the Government has also been good enough to promise. A promise was made by the Minister of Parliamentary Affairs, Shri Satya Narayan Sinha, that it would be taken up on the last day; he said that he would see that the Bill was passed during this session. That promise is there. When the House has decided that after 6 O'Clock, we would take up the other items, it is not proper for the Congress members to say, "let us adjourn, let us postpone", etc. I insist that this Bill must be taken up and passed.

Shri A. K. Gopalan (Kasergod): I want to make a submission. Whether we will sit further or not, will be decided by the House. But I want to say that we will certainly be doing a very great injustice to a certain of the workers if we do not take up and pass the Beedi and Cigar Workers' Bill. In the Second Parliament, a non-official Bill was introduced. It was withdrawn because it was said that the Government would bring in the legislation. In the Third Parliament also it was introduced and then again it was promised that in this Parliament it would be brought up. Two years ago also it was brought. During this session almost every day we have been raising this. The Rajya Sabha has passed it two or three months back. The effect of the Rajya Sabha having passed it and the Lok Sabha not having done so would be that as far as the workers are are concerned, the employers would do something which would do the workers more harm. So, I only want to say this that it is very bad that this Bill is not being taken up now. A big section, nearly some lakhs of workers in the country are suffering for want of this legislation for the last so many years, ever since Parliament began, and still we are finding that nothing is being done for them.

श्री हुकम चन्द कछवाय : मेरा निवेदन यह है कि...

Mr. Chairman: There is nothing more to be said.

श्री हुकम चन्द कछवाय : मैं लगातार पिछले ढाई साल से इस बिल के लिए प्रयत्न करता आ रहा हूं । इस बिल के न आने के कारण उन मजदूरों पर बहुत ज्यादतियां की जा रही हैं । उन को पीसा जा रहा है । ढाई साल तक झगड़ा करने के बाद सरकार ने बड़ी मुश्किल से इस बिल को लाना स्वीकार किया है । पहले इस को लोक-सभा में लाना चाहिए था, लेकिन इस को पहले राज्य सभा में लाया गया । उन मजदूरों की दशा बहुत शोचनीय है । इस लिए इस बिल पर चर्चा जरूर होनी चाहिए ।

Shri A. K. Gopalan: May I make one suggestion? Let this Bill be taken up for just one minute today, and then it may go over to the next session. I do not want that it should be passed in this session itself. But let it be begun today.

श्रीमति सहोदराबाई राय (दमोह) : यह बिल जरूर आना चाहिए ।

Shri Sonavane (Pandharpur): Let us have our say also. The Opposition is very vehement that this legislation should be taken up for consideration today, but they are the persons who have wasted a lot of time, and particularly my hon. friend Shri Hpkam Chand Kachhavaiya.

Shri Umanath: Who has wasted? It is the Ministers who have been behaving in this manner without studying the subjects properly.

Shri Hari Vishnu Kamath: (Hoshangabad): We have not wasted, but Government have wasted, have bungled.

श्री हुकम चन्द कछवाय : माननीय सदस्य मुझ पर यह बिलकुल झूठा और बिलकुल गलत आरोप लगा रहे हैं कि मैं ने समय खराब किया है। मैं ने नियमों के अनुसार कार्यवाही की है ।

Mr. Chairman: I think that it is not right to say that any hon. Member has wasted the time of the House. We have dealt with important matters, and, therefore, I do not think that anybody should make such remarks.

I hope Shri Sonavane does not want to say that the welfare of the biri workers is only the concern of the Opposition; I presume that it is as much the concern of the Members like my sister over there as that of the Members of the Opposition, to see that we give a fair deal to the biri workers.

Shri D. C. Sharma (Gurdaspur): I have been pleading for this legislation all along.

Mr. Chairman: I think I am reflecting the opinion of the House When I say that this Bill which is very important should be given the first priority in the coming session. I think that this should be by the order of this House. I shall just take the opinion of this House so that it may be recorded and then it can come up at the next session.

Shri Radhelal Vyas (Ujjain): May I suggest that we may start the discussion for two or three minutes on this Bill and then we can adjourn?

Shri Harish Chandra Mathur: Shri A. K. Gopalan's suggestion is quite good.

Mr. Chairman: I presume that what we can do is this. I find that the Minister in charge is also not here.

Shri Sonavane: May I submit....

Mr. Chairman: I think Shri Sonavane will have nothing to be annoyed about. Since the hon. Minister in charge is not here, I shall ask one of the Ministers present here just to move the motion, and then we shall adjourn the discussion so that it will come up on the agenda during the next session.

18.39½ hrs.

BEEDI AND CIGAR WORKERS (CONDITONS OF EMPLOYMENT) BILL

The Minister of Home Affairs (Shri Nanda): I beg to move:

> "That the Bill to provide for the welfare of the workers in beedi and cigar establishments and to regulate the conditions of their work and for matters connected therewith, as passed by Rajya Sabha, be taken into consideration."

Mr. Chairman: Now, I suggest that this discussion be postponed to the next session. Let me have the consent of the House to postpone the discussion.

The question is:

"That the discussion on the Bill be postponed".

The motion was adoped.

Mr. Chairman: With regard to the Banaras University Bill.

श्री रघुनाथ सिंह (वाराणसी) : श्रीमान् जी हमें यह कहना है कि करीब सात आठ वर्ष से बनारस हिन्दू यनिवर्सिटी का बिल पास नहीं हो रहा है। जब हाउस में आता है तो वह पोस्टपोन कर दिया जाता है। सात आठ साल हो गए सरकारी नियम से यूनिवर्सिटी का प्रासन हो रहा है। मैं आप से प्रार्थनय करना चाहता हूं और सरकार से प्रार्थना करना चाहता हूं। इस विधेयक को जितनी जादी पास करायें उतना ही अच्छा है। क्यों कि वहां कोई वाइस-चांसलर नहीं है। कोई व्यवस्था नहीं है। इस वास्ते थोड़ा सा इस पर भी विचार करें और जल्दी यह लाया जाय।

18.40 hrs.

RE. HALF-AN-HOUR DISCUSSIONS

Shri D. C. Sharma: (Gurdaspur): It should be priority No. 2.

Mr. Chairman: I do not think it will be right. I would request the Government to take note of the views expressed in this House, and since the hon. Member is an important Member of the ruling party, I am sure he will see to it that it is put down high on the list.

May I take the opinion with regard to the half-hour discussions?

Mr. Mathur has already appealed that we should take up the half-hour discussion. Let us be very short, let him put all the important questions.

Shri Harish Chandra Mathur (Jalore): Either you postpone it, or we will have a half-hour discussion.

Mr. Chairman: Half an hour is the maximum we can have.

Shri Harish Chandra Mathur: Let this discussion be postponed. Let the House be adjourned *sine die*. If it is to sit, there should be the half-hour discussion at item No. 34. You know minutes. I am not prepared to impose myself on the House, I am prepared to leave myself in the hands of the House.

Shri S. M. Banerjee (Kanpur): I am very particular about the half-hour discussion at item No. 34. You know actually we had to fight for the recognition of this union, and now we have received information that the Audit Union has been given *de facto* recognition only for purposes of the departmental council. I would beg of you that this should be discussed. Moreover, my fear was this. In the morning when the Minister said that we should sit up to 6 O'Clock, I told the Deputy-Speaker that the intention of the ruling pary was that they would pass the Punjab Bill and sabotage all other discussion. I want a discussion on this.

Shri Sonavane (Pandharpur): The word "sabotage" is very objectionable, it should be expunged.

The Deputy Minister in the Ministry of Finance (Shri L. N. Mishra): This *de facto* recognition is not only for this joint council, it is for all practical purposes. Mr. Banerjee is not correct.

Shri S. M. Banerjee: You kindly reply to the discussion.

Mr. Chairman: He is making a clarification, let him make the clarification.

Shri Umanath (Pudukkttai): He should not speak on the merits that should be done in the half-hour discussion, he can only say whether it can be taken up or not.

Shri Harish Chandra Mathur: You cannot skip over my half-hour discussion if the House is prepared to

[Shri Harish Chandra Mathur]

sit. Nothing can be discussed about the second item unless and until the the House is not prepared to sit. I first item is taken up. I only give in if leave it to the House. You can put it to the House if the House is prepared to sit.

Shri Sham Lal Saraf (Jammu and Kashmir): I move:

"That the House be adjourned sine die."

Shri Raghunath Singh (Varanasi): The House should be adjourned *sine die.*

श्री हुकम चन्द कछवाय (देवास): आप हाउस से पूछ लीजिए कि बैठने के लिए तयार है या नहीं ?

Shri Umanath: I wish to bring to your notice what the Speaker had said on the half-hour discussion. Let the first half-hour discussion be taken up, because the Speaker had made a promise on the floor of the House that this particular half-hour discussion on the Audit union recognition would be definitely accommodated. He made a promise. So, naturally in consonance with that promise, it should be taken up here. I do not want preference over Mr. Mathur's motion. Let that be taken up, let this also be taken up.

Shri R. S. Pandey (Guna): The motion before the House is to adjourn.

Shri Umanath: No, the House should not be adjourned. If you want by your majority to steamroller issues affecting the lives of the people, you can do but I object to that.

Shri R. S. Pandey: You address the Chairman.

Mr. Chairman: All the Members of the House have heard what has been stated by the Speaker: What Mr. Umanath says is there. It was stated by the Speaker and they were put down on the agenda paper. Yesterday it was pushed out. Today it has been there. Now, there is a proposal that we should not take up any of the half-an-hour discussions.

The Minister of State in the Ministry of Finance (Shri B. R. Bhagat): It should have been at least No. 1; it is No. 2.

Mr. Chairman: That is not the question now, as to how it has been put down on the order paper; we do not in any way charge that it should have been put down as No. 1 or No. 2 I am only stating a fact. I am in the hands of the House now. It is upto those who have the power to vote to decide what they want to do. I have to put the question; it is upto them after having heard what the Speaker said, to vote as they choose. I have no other alternative. I will put the motion: "That the House continue with the discussion of the half-an-hour discussions." If it is voted out, that means we adjourn. The question is:

> "That this House continues with the discussion of the half-an-hour discussions Nos. 32, 33 and 34."

Shri Sham Lal Saraf: I am on a point of order.

Mr. Chairman: You are going either to vote for or against. What is the point of order?

Shri Sham Lal Saraf: These motions are on the Order Paper. Apart from that I am moving a fresh motion: "That this House adjourns *sine die*".

Mr. Chairman: It is not necessary to move that motion if this motion is voted down. The House adjourns *sine die* automatically.

Shri Radhelal Vyas (Ujjain): On a point of order, the motion that you are putting is....

Mr. Chairman: Under what rule are you raising the point of order?

Shri Radhelal Vyas: The House has taken a decision that the question on the Order Paper should be postponed and it was postponed by the decision of the House. That only means that this was done with the object of adjourning the House.

Mr. Chairman: Order, order. I have understood the desire of the House. It is not necessary to raise it by a point of order. There is no point of order. Some Members want this House not to continue with the discussion; they want it to be postponed. As I said, we need not put item after item. The question is:

"That this House proceeds with the discussion of the half-an-hour discussion, listed as item Nos. 32, 33 and 34 in the list of business."

Shri Sonavane: No, no. You are putting a different motion altogether.

Mr. Chairman: You are not to tell me what motion I have to put to vote.... (*Interruptions*).

Order, order. I shall now put the question.

The question is:

"That the House do proceed with half-an-hour discussions listed at items 32, 33 and 34 of the List of Business".

The Lok Sabha divided

Division No. 38] **AYES** **[18.54 hrs.**

Bade, Shri
Banerjee, Shri S. M.
Gopalan, Shri A. K.
Kamath Shri Hari Vishnu
Kandappan, Shri
Singh, Shri D. N.
Umanath, Shri
Vidyalankar, Shri A. N.
Virbhadra Singh, Shri

NOES

Alva, Shri A. S.
Azad, Shri Bhagwat Jha
Basappa, Shri
Besra, Shri
Bhagat, Shri B. R.
Chavan, Shri Y. B.
Das, Shri B. K.
Deshmukh, Shri B. D.
Deshmukh, Shrimati Vimla
Elayaperumal, Shri
Ganga, Devi, Shrimati
Gupta, Shri Badshah
Iqbal Singh, Shri
Jhadav, Shri M. L.
Jadhav, Shri Talsidas
Jagjivan Ram, Shri
Jedhe, Shri
Jyotishi, Shri J. P.
Kedaria, Shri C. M.
Kindar Lal, Shri
Kureel, Shri B. N.
Lahiri Chaudhry, Shri
Lasker, Shri N. R.
Mandal, Dr. P.
Mandal, Shri Yamuna Prasad
Mantri, Shri D. D.
Mathur, Shri Shiv Charan
Mishra, Shri Braj Bihari
Mirza, Shri Bakar Ali
Mohanty, Shri Gokulananda
Morarka, Shri
Nanda, Shri
Niranjan Lal, Shri
Pandey, Shri R. S.
Patil, Shri D. S.
Patil, Shri J. S.
Patil, Shri T. A.
Pratap Singh, Shri
Raghunath Singh, Shri
Rai, Shrimati Sahodra Bai
Rajdeo Singh, Shri
Ram Swarup, Shri
Reddi, Dr. B. Gopala
Roy, Shri Bishwanath
Sahu, Shri Rameshwar
Saraf, Shri Sham Lal
Sen, Shri P.G.
Sharma, Shri D. C.
Shastri, Shri Ramanand
Sheo Narain, Shri
Siddananjappa, Shri
Siddiah, Shri
Sivappraghassan, Shri Ku.
Sonavane, Shri
Tula Ram, Shri
Vaishya, Shri M.B.
Vyas, Shri Radhelal
Wadiwa, Shri

श्री हुकम चन्द कछवाय : मेरे स्विच ने काम नहीं किया, इस लिये मेरा मत 'आइज' में गिना जाय ।

Mr. Chairman: Please add that. So, the result of the division is:

Ayes 10; Noes 58.

The motion was negatived

Mr. Chairman: I wish all hon. Members good work during this inter-session. The House stands adjourned *sine die*.

18.53 hrs.

The Lok Sabha then adjourned sine die.